



Reprinted  
April 14, 2023

---

---

# ENGROSSED HOUSE BILL No. 1050

---

DIGEST OF HB 1050 (Updated April 13, 2023 3:49 pm - DI 137)

**Citations Affected:** IC 6-6; IC 7.1-3; IC 9-13; IC 9-14; IC 9-17; IC 9-18.1; IC 9-18.5; IC 9-21; IC 9-24; IC 9-26; IC 9-27; IC 9-32; IC 9-33; IC 24-5; IC 34-30; noncode.

**Synopsis:** Various motor vehicle matters. Expands the definition of "alternative fuel" to include hydrogen, hythane, electricity, or any other fuel used to propel a motor vehicle on a highway that is not subject to certain taxes. Provides for the taxation of motor carriers using alternative fuels other than butane or propane. Provides that a carrier subject to certain imposed motor vehicle taxes is exempt from submitting to the department of state revenue (department) quarterly reports of the operations of commercial motor vehicles giving rise to  
(Continued next page)

**Effective:** Upon passage; July 1, 2019 (retroactive); July 1, 2023; January 1, 2024.

---

---

## Pressel, Lehman, DeLaney, Cherry

(SENATE SPONSORS — CRIDER, CHARBONNEAU,  
RANDOLPH LONNIE M)

---

---

January 9, 2023, read first time and referred to Committee on Roads and Transportation.  
February 7, 2023, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.  
February 14, 2023, reported — Do Pass.  
February 16, 2023, read second time, ordered engrossed.  
February 17, 2023, engrossed.  
February 20, 2023, read third time, passed. Yeas 92, nays 5.  
SENATE ACTION  
February 28, 2023, read first time and referred to Committee on Homeland Security and Transportation.  
March 16, 2023, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.  
April 6, 2023, amended, reported favorably — Do Pass.  
April 13, 2023, read second time, amended, ordered engrossed.

---

---

EH 1050—LS 6503/DI 139



the carrier's tax liability as the department may require under certain circumstances. Provides that a carrier that is exempt from the quarterly reporting requirements: (1) must continue to file a quarterly return to obtain a promotional use credit; (2) is required to keep books and records; and (3) is exempt from certain requirements regarding an annual permit, a cab card, and an emblem. Defines "lawful status". Repeals the term "credential". Defines "physical credential". Provides that the bureau of motor vehicles (bureau) may issue a driver's license, permit, or identification card to certain individuals granted parole in the United States under 8 U.S.C. 1182(d)(5). Provides that the bureau may issue rules, including emergency rules, to provide a driver's license, permit, or identification card to certain individuals granted parole, as well as registrations and certificates of title for motor vehicles of certain individuals granted parole. Provides for when a credential issued by the bureau must be in the form of a physical credential or a mobile credential. Provides for the form of the mobile credential. Provides that, beginning July 1, 2023, and each year thereafter, the bureau is required to provide the executive director of the legislative services agency the name of a special group for whom: (1) 10 years have elapsed since the special group was admitted into the special group recognition license plate program; or (2) 10 years have elapsed since the previous review of the special group by the interim study committee on roads and transportation. Provides that if a special group was subject to a decennial review before July 1, 2023, then the next review occurs in the year which is a multiple of 10 years after the year of the special group's admittance to the special group recognition license plate program. Prohibits a consolidated city from installing a sign prohibiting a turn at a steady red signal. Requires the bureau to submit an annual report to the state utility regulatory commission regarding the number of electric vehicles registered by county. Specifies the calculation for the amount of the supplemental fee for hybrid and electric vehicles. Requires a person who drives a vehicle approaching a disabled stationary vehicle with flashing hazard warning signals to do either of the following, while proceeding with due caution: (1) Yield the right-of-way by making a lane change into a lane not adjacent to that of the disabled stationary vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle. (2) Reduce the speed of the vehicle to a speed at least 10 miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe. Provides that a person who does not yield the right-of-way or reduce the speed of the person's vehicle commits a Class B infraction. Provides that the term "driver training school" does not include a business enterprise that educates or trains a person or prepares a person to operate a commercial motor vehicle. Allows a driver training school to administer a driving skills test to an individual who holds a valid learner's permit. Provides that certain entities are immune from civil liability for an act or omission occurring during a motorcycle operator safety course that results in an injury or property damage. Provides that administrative procedures of the bureau do not apply to a hearing requested by a nonresident regarding the suspension of the driving privileges of the nonresident for failure to meet the terms of a citation. Provides that a document preparation fee that is less than \$200 is permitted and does not constitute an unfair practice. Provides civil immunity for a dealer in an action regarding the resale of a buyback vehicle if the dealer had a reasonable good faith belief the vehicle was not a buyback vehicle. Makes conforming changes.



Reprinted  
April 14, 2023

First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1050

---

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 6-6-1.6-3, AS AMENDED BY P.L.159-2021,  
2 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2023]: Sec. 3. (a) The department shall calculate an annual  
4 index factor to be used for the rate to take effect each July 1 beginning  
5 in 2018 through July 1, ~~2024~~. **2025**. The department shall determine  
6 the index factor before June 1 of each year using the method described  
7 in subsection (b).  
8 (b) The annual gasoline tax index factor and special fuel index  
9 factor equals the following:  
10 STEP ONE: Divide the annual CPI-U for the year preceding the  
11 determination year by the annual CPI-U for the year immediately  
12 preceding that year.  
13 STEP TWO: Divide the annual IPI for the year preceding the  
14 determination year by the annual IPI for the year immediately  
15 preceding that year.  
16 STEP THREE: Add:  
17 (A) the STEP ONE result; and

**EH 1050—LS 6503/DI 139**



- 1 (B) the STEP TWO result.
- 2 STEP FOUR: Divide the STEP THREE result by two (2).
- 3 (c) If the CPI-U or IPI for a preceding year is revised, corrected, or
- 4 updated after May 31 of that year, the department shall use the CPI-U
- 5 or IPI as published for the preceding year prior to revision.
- 6 SECTION 2. IC 6-6-2.5-1, AS AMENDED BY P.L.212-2014,
- 7 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JANUARY 1, 2024]: Sec. 1. As used in this chapter, "alternative fuel"
- 9 means a liquefied petroleum gas, not including a biodiesel fuel or
- 10 biodiesel blend, used in an internal combustion engine or motor to
- 11 propel any form of vehicle, machine, or mechanical contrivance. The
- 12 term includes all forms of fuel commonly or commercially known or
- 13 sold as butane, or propane, **hydrogen, hythane, electricity, or any**
- 14 **other fuel used to propel a motor vehicle on a highway that is not**
- 15 **subject to the tax imposed under section 28 of this chapter or the**
- 16 **tax imposed under IC 6-6-1.1.**
- 17 SECTION 3. IC 6-6-4.1-2, AS AMENDED BY P.L.198-2016,
- 18 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 19 JANUARY 1, 2024]: Sec. 2. (a) Except as provided in subsection (b),
- 20 this chapter applies to each:
- 21 (1) road tractor;
- 22 (2) tractor truck;
- 23 (3) truck having more than two (2) axles;
- 24 (4) truck having a gross weight or a declared gross weight greater
- 25 than twenty-six thousand (26,000) pounds; ~~and~~
- 26 (5) vehicle used in combination if the gross weight or the declared
- 27 gross weight of the combination is greater than twenty-six
- 28 thousand (26,000) pounds; **and**
- 29 **(6) qualified motor vehicle that is subject to the tax reporting**
- 30 **requirements of the International Fuel Tax Agreement;**
- 31 that is propelled by motor fuel.
- 32 (b) This chapter does not apply to the following:
- 33 (1) A vehicle operated by:
- 34 (A) this state;
- 35 (B) a political subdivision (as defined in IC 36-1-2-13);
- 36 (C) the United States; or
- 37 (D) an agency of states and the United States, or of two (2) or
- 38 more states, in which this state participates.
- 39 (2) Trucks, trailers, or semitrailers and tractors that are registered
- 40 as farm trucks, farm trailers, or farm semitrailers and tractors
- 41 under IC 9-18 (before its expiration), IC 9-18.1-7, or a similar law
- 42 of another state.



- 1 (3) A bus (as defined in IC 9-13-2-17).  
 2 (4) A vehicle described in subsection (a)(1) through (a)(3) when  
 3 the vehicle is displaying a dealer registration plate.  
 4 (5) A recreational vehicle.  
 5 (6) A pickup truck that:  
 6 (A) is modified to include a third free rotating axle;  
 7 (B) has a gross weight not greater than twenty-six thousand  
 8 (26,000) pounds; and  
 9 (C) is operated solely for personal use and not for commercial  
 10 use.
- 11 SECTION 4. IC 6-6-4.1-4, AS AMENDED BY P.L.234-2019,  
 12 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JANUARY 1, 2024]: Sec. 4. (a) A tax is imposed on the consumption  
 14 of motor fuel by a carrier in its operations on highways in Indiana. The  
 15 rate of this tax is determined as follows:
- 16 (1) When imposed upon the consumption of special fuel (other  
 17 than an alternative fuel or a natural gas product), the tax rate is  
 18 the same rate per gallon as the rate per gallon at which special  
 19 fuel is taxed under IC 6-6-2.5.  
 20 (2) When imposed upon the consumption of gasoline, the tax rate  
 21 is the same rate per gallon as the rate per gallon at which gasoline  
 22 is taxed under IC 6-6-1.1.  
 23 (3) When imposed upon the consumption of a natural gas product  
 24 or an alternative fuel, the tax rate is ~~either one (1)~~ **(1)** of the  
 25 following:  
 26 (A) The same rate per diesel gallon equivalent as the rate per  
 27 gallon at which special fuel is taxed under IC 6-6-2.5, in the  
 28 case of liquid natural gas.  
 29 (B) The same rate per gasoline gallon equivalent at which  
 30 special fuel is taxed under IC 6-6-2.5, in the case of  
 31 compressed natural gas or an alternative fuel commonly or  
 32 commercially known or sold as butane or propane.  
 33 **(C) The same rate per gallon equivalent at which special  
 34 fuel is taxed under IC 6-6-2.5, in the case of an alternative  
 35 fuel not commonly known or sold as butane or propane,  
 36 divided by:**  
 37 **(i) the carrier's average miles per gallon for all vehicles  
 38 in the fleet that consume motor fuels described in  
 39 subdivision (1), if the fleet has both vehicles that  
 40 consume motor fuels described in subdivision (1) and  
 41 vehicles that consume alternative fuels that are not  
 42 commonly or commercially known or sold as butane or**



1 propane; or  
 2 (ii) the carrier's average miles per gallon for the  
 3 preceding quarter of Indiana based International Fuel  
 4 Tax Agreement vehicles consuming motor fuels  
 5 described in subdivision (1) if all vehicles in the fleet  
 6 consume an alternative fuel that is not commonly or  
 7 commercially known or sold as butane or propane.

8 The tax shall be paid quarterly by the carrier to the department on or  
 9 before the last day of the month immediately following the quarter. **The**  
 10 **department shall publish on its website each quarter the average**  
 11 **miles per gallon for the preceding quarter for a vehicle described**  
 12 **in subdivision (3)(C)(ii).**

13 (b) **Except for an alternative fuel that is not commonly or**  
 14 **commercially known or sold as butane or propane,** the amount of  
 15 motor fuel consumed by a carrier in its operations on highways in  
 16 Indiana is the total amount of motor fuel consumed in its entire  
 17 operations within and without Indiana, multiplied by a fraction. The  
 18 numerator of the fraction is the total number of miles traveled on  
 19 highways in Indiana, and the denominator of the fraction is the total  
 20 number of miles traveled within and without Indiana.

21 (c) The amount of tax that a carrier shall pay for a particular quarter  
 22 under this section equals the product of the tax rate in effect for that  
 23 quarter, multiplied by:

24 **(1) except as provided in subdivision (2),** the amount of motor  
 25 fuel consumed by the carrier in its operation on highways in  
 26 Indiana and upon which the carrier has not paid tax imposed  
 27 under IC 6-6-1.1, IC 6-6-2.5, or section 4.5 of this chapter (before  
 28 its repeal); or

29 **(2) the miles traveled on highways in Indiana for an**  
 30 **alternative fuel that is not commonly or commercially known**  
 31 **or sold as butane or propane.**

32 (d) Subject to section 4.8 of this chapter, a carrier is entitled to a  
 33 proportional use credit against the tax imposed under this section for  
 34 that portion of motor fuel used to propel equipment mounted on a  
 35 motor vehicle having a common reservoir for locomotion on the  
 36 highway and the operation of the equipment, as determined by rule of  
 37 the commissioner. An application for a proportional use credit under  
 38 this subsection shall be filed on a quarterly basis on a form prescribed  
 39 by the department.

40 SECTION 5. IC 6-6-4.1-4.8, AS AMENDED BY P.L.185-2018,  
 41 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2023]: Sec. 4.8. (a) This section applies only to a claim for a



1 proportional use credit under section 4(d) of this chapter or section  
 2 4.5(e) of this chapter (before its repeal) for taxes first due and payable  
 3 after July 31, 1999.

4 (b) In order to obtain a proportional use credit against taxes imposed  
 5 under section 4 of this chapter or section 4.5 of this chapter (before its  
 6 repeal) a carrier must file a claim with the department. The claim must  
 7 be submitted on a form prescribed by the department and must be filed  
 8 with the quarterly return for the taxable period for which the  
 9 proportional use credit is claimed. A carrier is not entitled to a  
 10 proportional use credit under section 4(d) of this chapter or section  
 11 4.5(e) of this chapter (before its repeal) unless the carrier:

- 12 (1) has paid in full the taxes to which the credit applies, **except**  
 13 **for an alternative fuel;** and  
 14 (2) has filed a claim for the credit on or before the due date of the  
 15 corresponding quarterly return for the taxable period for which  
 16 the proportional use credit is claimed.

17 A credit approved under this section shall, subject to this section, be  
 18 refunded to the carrier without interest.

19 (c) The department shall determine the aggregate amount of  
 20 proportional use credits claimed under section 4(d) of this chapter or  
 21 section 4.5(e) of this chapter (before its repeal) for each quarter. The  
 22 department may approve the full amount of a proportional use credit  
 23 claimed by a carrier if the aggregate amount of proportional use credits  
 24 claimed for the quarter and for the fiscal year do not exceed the limits  
 25 set forth in subsection (d). If the aggregate amount of proportional use  
 26 credits claimed in a quarter exceeds the limits set forth in subsection  
 27 (d), the department shall pay the claims for that quarter on a pro rata  
 28 basis.

29 (d) The department may not approve more than three million five  
 30 hundred thousand dollars (\$3,500,000) of proportional use credits  
 31 under this section in a state fiscal year. In addition, the amount of  
 32 proportional use credits the department may approve under this section  
 33 for a quarter may not exceed the following:

- 34 (1) For the quarter ending September 30 of a year, an amount  
 35 equal to one million three hundred seventy-five thousand dollars  
 36 (\$1,375,000).  
 37 (2) For the quarter ending December 31 of a year, an amount  
 38 equal to:  
 39 (A) six hundred twenty-five thousand dollars (\$625,000); plus  
 40 (B) the greater of zero (0) or the result of:  
 41 (i) the limit determined for the previous quarter under this  
 42 subsection; minus



- 1 (ii) the aggregate amount of claims approved for the  
 2 previous quarter.  
 3 (3) For the quarter ending March 31 of a year, an amount equal  
 4 to:  
 5 (A) six hundred twenty-five thousand dollars (\$625,000); plus  
 6 (B) the greater of zero (0) or the result of:  
 7 (i) the limit determined for the previous quarter under this  
 8 subsection; minus  
 9 (ii) the aggregate amount of claims approved for the  
 10 previous quarter.  
 11 (4) For the quarter ending June 30 of a year, an amount equal to:  
 12 (A) eight hundred seventy-five thousand dollars (\$875,000);  
 13 plus  
 14 (B) the greater of zero (0) or the result of:  
 15 (i) the limit determined for the previous quarter under this  
 16 subsection; minus  
 17 (ii) the aggregate amount of claims approved for the  
 18 previous quarter.

19 **(e) A carrier that is exempt from the quarterly reporting**  
 20 **requirements under section 10 of this chapter must continue to file**  
 21 **a quarterly return under this section to obtain a proportional use**  
 22 **credit.**

23 SECTION 6. IC 6-6-4.1-9 IS AMENDED TO READ AS  
 24 FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 9. **(a) Except as**  
 25 **provided in subsection (b)**, if there are no records showing the number  
 26 of miles actually operated per gallon of motor fuel and if section 11(c)  
 27 of this chapter is inapplicable, it is presumed for purposes of this  
 28 chapter that one (1) gallon of motor fuel is consumed for every four (4)  
 29 miles traveled.

30 **(b) This section does not apply to an alternative fuel that is not**  
 31 **commonly or commercially known or sold as butane or propane.**

32 SECTION 7. IC 6-6-4.1-10, AS AMENDED BY P.L.45-2011,  
 33 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2023]: Sec. 10. (a) Except as provided in section 13 of this  
 35 chapter, each carrier subject to the tax imposed under this chapter shall  
 36 submit to the department such quarterly reports of the operations of  
 37 commercial motor vehicles giving rise to the carrier's tax liability as the  
 38 department may require. The carrier shall submit each quarterly report  
 39 required under this subsection on or before the last day of the month  
 40 immediately following that quarter.

41 (b) Subject to the restrictions of ~~this subsection and~~ subsection (c)  
 42 **(d) and section 4.8 of this chapter, the department may, by rules**





1 adopted under IC 4-22-2, ~~exempt any a carrier is exempt~~ from the  
 2 quarterly reporting requirements of this section ~~The department may~~  
 3 ~~exempt only a carrier who submits an annual affidavit attesting that: if~~

4 ~~(+) all or substantially all of:~~

5 ~~(1) the mileage of the carrier in the previous calendar year was the~~  
 6 ~~result of operations in Indiana; and~~

7 ~~(2) all or substantially all of the motor fuel used in the operations~~  
 8 ~~of the carrier in the previous calendar year was purchased in~~  
 9 ~~Indiana or and the carrier paid the tax imposed under~~  
 10 ~~IC 6-6-1.1 or IC 6-6-2.5.~~

11 ~~(3) the carrier is from a state that has a reciprocity agreement with~~  
 12 ~~the state of Indiana relating to motor fuel taxes.~~

13 ~~(c) The department may exempt carriers under subsection (b) only~~  
 14 ~~if:~~

15 ~~(1) granting exemptions will not adversely affect the enforcement~~  
 16 ~~of this chapter; and~~

17 ~~(2) the carriers that apply for exemptions purchased an equitable~~  
 18 ~~amount of motor fuel in Indiana.~~

19 ~~(c) A carrier is required to report and to pay the tax imposed by~~  
 20 ~~this chapter only on alternative fuel if:~~

21 ~~(1) all or substantially all of the mileage of the carrier in a~~  
 22 ~~quarter is the result of operations in Indiana; and~~

23 ~~(2) the motor fuel used for operations during the quarter was~~  
 24 ~~purchased in Indiana, some of which was alternative fuel.~~

25 ~~(d) A carrier that is exempt under subsection (b) or meets the~~  
 26 ~~requirements of subsection (c) is subject to section 20 of this~~  
 27 ~~chapter and is required to keep books and records as required by~~  
 28 ~~IC 6-8.1-5 regarding the tax imposed under section 4 of this~~  
 29 ~~chapter.~~

30 ~~(d) (e) Each carrier shall submit to the department any other reports~~  
 31 ~~required by the department.~~

32 ~~(e) (f) All reports required to be filed under this chapter must be~~  
 33 ~~filed in an electronic format prescribed by the department.~~

34 ~~(f) (g) All taxes required to be remitted under this chapter must be~~  
 35 ~~remitted in an electronic format prescribed by the department.~~

36 SECTION 8. IC 6-6-4.1-12, AS AMENDED BY P.L.182-2009(ss),  
 37 SECTION 235, IS AMENDED TO READ AS FOLLOWS  
 38 [EFFECTIVE JULY 1, 2023]: Sec. 12. (a) Except as **provided in**  
 39 **subsection (h) and as** authorized under section 13 of this chapter, a  
 40 carrier may operate a commercial motor vehicle upon the highways in  
 41 Indiana only if the carrier has been issued an annual permit, cab card,  
 42 and emblem under this section.



1 (b) **Except as provided in subsection (h)**, the department shall  
2 issue:

3 (1) an annual permit; and

4 (2) a cab card and an emblem for each commercial motor vehicle  
5 that will be operated by the carrier upon the highways in Indiana;  
6 to a carrier who applies for an annual permit and pays to the  
7 department an annual permit fee of twenty-five dollars (\$25) not later  
8 than September 1 of the year before the annual permit is effective  
9 under subsection (c).

10 (c) **Except as provided in subsection (h)**, the annual permit, cab  
11 card, and emblem are effective from January 1 of each year through  
12 December 31 of the same year. The department may extend the  
13 expiration date of the annual permit, cab card, and emblem for no more  
14 than sixty (60) days. The annual permit, each cab card, and each  
15 emblem issued to a carrier remain the property of this state and may be  
16 suspended or revoked by the department for any violation of this  
17 chapter or of the rules concerning this chapter adopted by the  
18 department under IC 4-22-2.

19 (d) **Except as provided in subsection (h)**, as evidence of  
20 compliance with this section, and for the purpose of enforcement, a  
21 carrier shall display on each commercial motor vehicle an emblem  
22 when the vehicle is being operated by the carrier in Indiana. The carrier  
23 shall affix the emblem to the vehicle in the location designated by the  
24 department. The carrier shall display in each vehicle the cab card  
25 issued by the department. The carrier shall retain the original annual  
26 permit at the address shown on the annual permit. During the month of  
27 December, the carrier shall display the cab card and emblem that are  
28 valid through December 31 or a full year cab card and emblem issued  
29 to the carrier for the ensuing twelve (12) months. If the department  
30 grants an extension of the expiration date, the carrier shall continue to  
31 display the cab card and emblem upon which the extension was  
32 granted.

33 (e) If a commercial motor vehicle is operated by more than one (1)  
34 carrier, as evidence of compliance with this section and for purposes  
35 of enforcement each carrier shall display in the commercial motor  
36 vehicle a reproduced copy of the carrier's annual permit when the  
37 vehicle is being operated by the carrier in Indiana.

38 (f) A person who fails to display an emblem required by this section  
39 on a commercial motor vehicle, does not have proof in the vehicle that  
40 the annual permit has been obtained, and operates that vehicle on an  
41 Indiana highway commits a Class C infraction. Each day of operation  
42 without an emblem constitutes a separate infraction. Notwithstanding



1 IC 34-28-5-4, a judgment of not less than one hundred dollars (\$100)  
2 shall be entered for each Class C infraction under this subsection.

3 (g) A person who displays an altered, false, or fictitious cab card  
4 required by this section in a commercial motor vehicle, does not have  
5 proof in the vehicle that the annual permit has been obtained, and  
6 operates that vehicle on an Indiana highway commits a Class C  
7 infraction. Each day of operation with an altered, false, or fictitious cab  
8 card constitutes a separate infraction.

9 **(h) A carrier is exempt from the requirements under subsections**  
10 **(a) through (d) if the carrier is exempt from the quarterly**  
11 **reporting requirement under section 10(b) of this chapter.**

12 **(i) A carrier that meets the requirements of section 10(c) of this**  
13 **chapter shall display an emblem on a vehicle that consumes**  
14 **alternative fuel.**

15 SECTION 9. IC 6-6-4.1-17, AS AMENDED BY P.L.185-2018,  
16 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2023]: Sec. 17. If a carrier:

- 18 (1) fails to file a quarterly report required by this chapter;
- 19 (2) fails to pay the tax imposed under section 4 of this chapter or  
20 section 4.5 of this chapter (before its repeal);
- 21 (3) files a report after the date established under this chapter;
- 22 (4) with respect to a listed tax (as defined in IC 6-8.1-1-1), fails  
23 to file all tax returns or information reports or to pay all taxes,  
24 penalties, and interest;
- 25 (5) fails to file a form or report required under this chapter or the  
26 International Fuel Tax Agreement in an electronic format  
27 prescribed by the department; or
- 28 (6) fails to remit taxes under section ~~10(f)~~ **10(g)** of this chapter;

29 the commissioner may suspend or revoke any annual permit, trip  
30 permit, temporary authorization, or repair and maintenance permit  
31 issued to the carrier. The commissioner may reinstate a permit or  
32 temporary authorization if a carrier files all required returns and reports  
33 and pays all outstanding liabilities.

34 SECTION 10. IC 7.1-3-23-20.5, AS AMENDED BY P.L.85-2017,  
35 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2023]: Sec. 20.5. (a) As used in this section, "adult  
37 entertainment" means adult oriented entertainment in which performers  
38 disrobe or perform in an unclothed state for entertainment.

39 (b) This section applies to the holder of a retailer's permit that  
40 provides adult entertainment on the licensed premises.

41 (c) The holder of a retailer's permit that provides adult entertainment  
42 on the licensed premises shall do the following:



- 1 (1) Require a performer who provides adult entertainment on the  
 2 licensed premises to provide proof of age by at least one (1) form  
 3 of government issued identification, including a:  
 4 (A) state issued driver's license;  
 5 (B) state issued identification card; or  
 6 (C) passport;  
 7 showing the performer to be at least eighteen (18) years of age.  
 8 (2) Require a performer who provides adult entertainment on the  
 9 licensed premises to provide proof of legal residency in the  
 10 United States by means of:  
 11 (A) a birth certificate;  
 12 (B) a Social Security card;  
 13 (C) a passport;  
 14 (D) valid documentary evidence ~~described in~~ **of lawful status**  
 15 **under IC 9-24-9-2.5**; or  
 16 (E) other valid documentary evidence issued by the United  
 17 States demonstrating that the performer is entitled to reside in  
 18 the United States.  
 19 (3) Take a photograph of each adult entertainer who auditions to  
 20 provide adult entertainment at the licensed premises at the time  
 21 of the audition and retain the photograph for at least three (3)  
 22 years after:  
 23 (A) the date of the audition; or  
 24 (B) the last day on which the performer provides adult  
 25 entertainment at the licensed premises;  
 26 whichever is later. A photograph taken under this subdivision  
 27 may show only the adult entertainer's facial features.  
 28 (4) Require all performers and other employees of the retail  
 29 permit holder to sign a document approved by the commission to  
 30 acknowledge their awareness of the problem of human trafficking.  
 31 (5) Display human trafficking awareness posters in at least two  
 32 (2) of the following locations on the licensed premises:  
 33 (A) The office of the manager of the licensed premises.  
 34 (B) The locker room used by performers or other employees.  
 35 (C) The break room used by performers or other employees.  
 36 Posters displayed under this subdivision must describe human  
 37 trafficking, state indicators of human trafficking (such as  
 38 restricted freedom of movement and signs of physical abuse), set  
 39 forth hotline telephone numbers for law enforcement, and be  
 40 approved by the commission.  
 41 (6) Cooperate with any law enforcement investigation concerning  
 42 allegations of a violation of this section.



1 (d) The commission may revoke, suspend, or refuse to renew the  
 2 permit issued for the licensed premises if the holder fails to comply  
 3 with subsection (c).

4 (e) In determining whether to revoke, suspend, or refuse to renew  
 5 the permit issued for a licensed premises under subsection (d), the  
 6 commission may consider:

7 (1) the extent to which the permit holder has cooperated with any  
 8 law enforcement investigation as required by subsection (c)(6);  
 9 and

10 (2) whether the permit holder has provided training to performers  
 11 who provide adult entertainment at the permit holder's licensed  
 12 premises and other employees of the licensed premises through a  
 13 program that:

14 (A) is designed to increase the awareness of human trafficking  
 15 and assist victims of human trafficking; and

16 (B) has been approved by:

17 (i) a department of the United States government; or

18 (ii) a nationwide association made up of operators who run  
 19 adult entertainment establishments.

20 SECTION 11. IC 9-13-2-39.7 IS REPEALED [EFFECTIVE JULY  
 21 1, 2023]. Sec. 39.7: "Credential" means the following:

22 (1) The following forms of documentation in physical form issued  
 23 by the bureau under IC 9-24:

24 (A) A driver's license.

25 (B) A learner's permit.

26 (C) An identification card.

27 (D) A photo exempt identification card.

28 (2) The following forms of documentation in the form of a mobile  
 29 credential issued by the bureau under IC 9-24:

30 (A) Except for a commercial driver's license issued under  
 31 IC 9-24-6.1, a driver's license.

32 (B) Except for a commercial learner's permit issued under  
 33 IC 9-24-6.1, a learner's permit.

34 (C) An identification card.

35 (3) For the purposes of IC 9-24-17.7, any form of documentation  
 36 in physical form or digital form accessible on a mobile device  
 37 issued by the bureau under IC 9-24.

38 SECTION 12. IC 9-13-2-48, AS AMENDED BY P.L.120-2020,  
 39 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2023]: Sec. 48. (a) "Driver's license" means the following:

41 (1) Any type of license issued by the state in ~~physical~~ **the form of**  
 42 **a physical credential** authorizing an individual to operate the



1 type of vehicle for which the license was issued, in the manner for  
 2 which the license was issued, on a highway. The term includes  
 3 any endorsements added to the license under IC 9-24-8.5.

4 (2) Except for a commercial driver's license issued under  
 5 IC 9-24-6.1, any type of license issued by the state in the form of  
 6 a mobile credential authorizing an individual to operate the type  
 7 of vehicle for which the license was issued, in the manner for  
 8 which the license was issued, on a highway. The term includes  
 9 any endorsements added to the license under IC 9-24-8.5.

10 ~~(b) Notwithstanding the July 1, 2021, effective date in HEA~~  
 11 ~~1506-2019, SECTION 33 (P.L.178-2019), this section takes effect July~~  
 12 ~~1, 2020 (rather than July 1, 2021):~~

13 SECTION 13. IC 9-13-2-74.5, AS AMENDED BY P.L.120-2020,  
 14 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2023]: Sec. 74.5. ~~(a)~~ "Identification card" means an  
 16 identification document issued by a state government either in ~~physical~~  
 17 **the form of a physical credential** or in the form of a mobile credential  
 18 for purposes of identification.

19 ~~(b) Notwithstanding the July 1, 2021, effective date in HEA~~  
 20 ~~1506-2019, SECTION 34 (P.L.178-2019), this section takes effect July~~  
 21 ~~1, 2020 (rather than July 1, 2021):~~

22 SECTION 14. IC 9-13-2-92.3 IS ADDED TO THE INDIANA  
 23 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 24 [EFFECTIVE JULY 1, 2023]: **Sec. 92.3. "Lawful status" means that**  
 25 **an individual has lawful status as:**

26 **(1) a citizen or national of the United States; or**

27 **(2) an alien who:**

28 **(A) is lawfully admitted for permanent residence or**  
 29 **temporary residence;**

30 **(B) has conditional permanent resident status;**

31 **(C) has a pending or approved application for asylum;**

32 **(D) has refugee status;**

33 **(E) has valid nonimmigrant status;**

34 **(F) has a pending or approved application for temporary**  
 35 **protected status;**

36 **(G) has approved deferred action status; or**

37 **(H) has a pending application for lawful permanent**  
 38 **resident status or conditional permanent resident status;**

39 **in the United States.**

40 SECTION 15. IC 9-13-2-103.4, AS AMENDED BY P.L.120-2020,  
 41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2023]: Sec. 103.4. ~~(a)~~ "Mobile credential" means a digital



1 **representation data issued to a telecommunications device** by the  
 2 bureau under IC 9-24-17.5 of the information contained on the  
 3 following:

- 4 (1) A driver's license.
- 5 (2) A learner's permit.
- 6 (3) An identification card.

7 The term does not include a commercial driver's license or commercial  
 8 learner's permit issued under IC 9-24-6.1, **a motorcycle learner's**  
 9 **permit issued under IC 9-24-8-3, a photo exempt driver's license**  
 10 **issued under IC 9-24-11-5(b)**, or a photo exempt identification card  
 11 issued under IC 9-24-16.5.

12 ~~(b) Notwithstanding the July 1, 2021, effective date in HEA~~  
 13 ~~1506-2019, SECTION 36 (P.L.178-2019), this section takes effect July~~  
 14 ~~1, 2020 (rather than July 1, 2021):~~

15 SECTION 16. IC 9-13-2-121.5 IS ADDED TO THE INDIANA  
 16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 17 [EFFECTIVE UPON PASSAGE]: **Sec. 121.5. (a) "Parole" means**  
 18 **temporary legal presence in the United States under 8 U.S.C.**  
 19 **1182(d)(5) granted to an individual who:**

- 20 (1) **is a citizen or national of Ukraine or last was a habitual**  
 21 **resident of Ukraine; and**
- 22 (2) **meets the criteria established under Section 401(a) of the**  
 23 **Additional Ukraine Supplemental Appropriations Act (Public**  
 24 **Law 117-128) as in effect on January 1, 2023.**

25 **(b) The term is not a lawful status as defined in section 92.3 of**  
 26 **this chapter.**

27 SECTION 17. IC 9-13-2-123.5, AS AMENDED BY P.L.120-2020,  
 28 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2023]: **Sec. 123.5. (a) "Permit" means the following:**

- 30 (1) A permit issued by the state in ~~physical~~ **the form of a physical**  
 31 **credential** authorizing an individual to operate the type of vehicle  
 32 for which the permit was issued on public streets, roads, or  
 33 highways with certain restrictions. The term under this  
 34 subdivision includes the following:  
 35 (A) A learner's permit.  
 36 (B) A motorcycle **learner's** permit.  
 37 (C) A commercial learner's permit.
- 38 (2) A permit issued by the state in the form of a mobile credential  
 39 authorizing an individual to operate the type of vehicle for which  
 40 the permit was issued on public streets, roads, or highways with  
 41 certain restrictions. The term under this subdivision includes a  
 42 learner's permit. ~~and a motorcycle permit.~~ The term under this



1 subdivision does not include a **motorcycle learner's permit** or  
 2 a commercial learner's permit.

3 (b) ~~Notwithstanding the July 1, 2021, effective date in HEA~~  
 4 ~~1506-2019, SECTION 37 (P.L.178-2019), this section takes effect July~~  
 5 ~~1, 2020 (rather than July 1, 2021):~~

6 SECTION 18. IC 9-13-2-125.6 IS ADDED TO THE INDIANA  
 7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2023]: **Sec. 125.6. "Physical credential"**  
 9 **means the following forms of documentation issued by the bureau**  
 10 **under IC 9-24 in physical form:**

- 11 (1) **A driver's license.**
- 12 (2) **A learner's permit.**
- 13 (3) **A motorcycle learner's permit.**
- 14 (4) **An identification card.**
- 15 (5) **A photo exempt identification card.**
- 16 (6) **A commercial driver's license or commercial learner's**  
 17 **permit.**

18 SECTION 19. IC 9-14-12-2, AS AMENDED BY P.L.164-2020,  
 19 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2023]: Sec. 2. The bureau shall maintain the following  
 21 records:

- 22 (1) All records related to or concerning certificates of title issued  
 23 by the bureau under IC 9-17 and IC 9-31 (before its repeal),  
 24 including the following:
  - 25 (A) An original certificate of title and all assignments and  
 26 reissues of the certificate of title.
  - 27 (B) All documents submitted in support of an application for  
 28 a certificate of title.
  - 29 (C) Any notations recorded on a certificate of title.
  - 30 (D) A listing of all reported buyback vehicles, **including all**  
 31 **vehicles in which a manufacturer accepts a return of a**  
 32 **motor vehicle that is considered a buyback vehicle under**  
 33 **IC 24-5-13.5**, in accordance with IC 9-17-3-3.5.
  - 34 (E) Any inspection that is conducted:
    - 35 (i) by an employee of the bureau or commission; and
    - 36 (ii) with respect to a certificate of title issued by the bureau.
- 37 (2) All records related to or concerning registrations issued under  
 38 IC 9-18 (before its expiration), IC 9-18.1, or IC 9-31 (before its  
 39 repeal), including the following:
  - 40 (A) The distinctive registration number assigned to each  
 41 vehicle registered under IC 9-18 (before its expiration) or  
 42 IC 9-18.1 or each watercraft registered under IC 9-31 (before





- 1                   its repeal).
- 2                   (B) All documents submitted in support of applications for
- 3                   registration.
- 4                   (3) All records related to or concerning **physical credentials or**
- 5                   **mobile credentials** issued by the bureau under IC 9-24, including
- 6                   applications and information submitted by applicants.
- 7                   (4) All driving records maintained by the bureau under section 3
- 8                   of this chapter.
- 9                   (5) A record of each individual that acknowledges making an
- 10                  anatomical gift as set forth in IC 9-24-17.
- 11                  SECTION 20. IC 9-17-3-3.5, AS AMENDED BY P.L.27-2018,
- 12                  SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 13                  JULY 1, 2023]: Sec. 3.5. (a) This section applies to a vehicle for which
- 14                  a certificate of title is required to be obtained under IC 24-5-13.5-12.
- 15                  (b) The bureau shall do the following:
- 16                   (1) For a subsequent request for a new certificate of title for a
- 17                   buyback vehicle, whether titled in Indiana or any other state,
- 18                   cause the words "Manufacturer Buyback – Disclosure on File" to
- 19                   appear on the new certificate of title.
- 20                   (2) Maintain a listing of all reported buyback vehicles in
- 21                   accordance with this section, maintain a record of the disclosure
- 22                   document required by ~~IC 24-5-13.5-10(3)~~; **IC 24-5-13.5-10(b)(3)**,
- 23                   and allow access to the listing and disclosure document upon
- 24                   written application.
- 25                  SECTION 21. IC 9-18.1-5-12, AS ADDED BY P.L.218-2017,
- 26                  SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 27                  JULY 1, 2023]: Sec. 12. (a) The supplemental fee in this section
- 28                  applies after December 31, 2017, to each electric vehicle and hybrid
- 29                  vehicle that is required to be registered under ~~IC 9-18.1~~; **this article.**
- 30                  **The supplemental fee in this section does not apply to vehicles**
- 31                  **subject to the motor carrier fuel tax under IC 6-6-4.1.**
- 32                  (b) As used in this section, "electric vehicle" means a vehicle that:
- 33                   (1) is propelled by an electric motor powered by a battery or other
- 34                   electrical device incorporated into the vehicle; and
- 35                   (2) is not propelled by an engine powered by the combustion of
- 36                   a hydrocarbon fuel, including gasoline, diesel, propane, or liquid
- 37                   natural gas.
- 38                  (c) As used in this section, "hybrid vehicle" means a vehicle that:
- 39                   (1) draws propulsion energy from both an internal combustion
- 40                   engine and an energy storage device; and
- 41                   (2) employs a regenerative braking system to recover waste
- 42                   energy to charge the energy storage device that is providing



1 propulsion energy.

2 (d) In addition to any other fee required to register an electric  
3 vehicle under this chapter, the supplemental fee to register an electric  
4 vehicle is one hundred fifty dollars (\$150). ~~through December 31,~~  
5 ~~2022. Before October 1, 2022, and before each October 1 of every fifth~~  
6 ~~year thereafter.~~ The bureau shall determine a new fee amount to take  
7 effect as of January 1 of the following year by determining the product  
8 of:

9 **(1) Before October 1, 2023:**

10 **(A) the fee in effect for the determination year; multiplied**  
11 **by**

12 **(B) the factor determined under IC 6-6-1.6-2(b).**

13 **(2) Before October 1 of each year thereafter:**

14 **(A) the fee in effect for the determination year; multiplied**  
15 **by**

16 **(B) the factor determined under IC 6-6-1.6-3.**

17 ~~(1) the fee in effect for the determination year; multiplied by~~

18 ~~(2) the factor determined under IC 6-6-1.6-2.~~

19 The fee shall be rounded to the nearest dollar.

20 (e) In addition to any other fee required to register a hybrid vehicle  
21 under this chapter, the supplemental fee to register a hybrid vehicle is  
22 fifty dollars (\$50). ~~through December 31, 2022. Before October 1,~~  
23 ~~2022, and before each October 1 of every fifth year thereafter.~~ The  
24 bureau shall determine a new fee amount to take effect as of January 1  
25 of the following year by determining the product of:

26 **(1) Before October 1, 2023:**

27 **(A) the fee in effect for the determination year; multiplied**  
28 **by**

29 **(B) the factor determined under IC 6-6-1.6-2(b).**

30 **(2) Before October 1 of each year thereafter:**

31 **(A) the fee in effect for the determination year; multiplied**  
32 **by**

33 **(B) the factor determined under IC 6-6-1.6-3.**

34 ~~(1) the fee in effect for the determination year; multiplied by~~

35 ~~(2) the factor determined under IC 6-6-1.6-2.~~

36 The fee shall be rounded to the nearest dollar.

37 (f) The fee shall be deposited in the local road and bridge matching  
38 grant fund established by IC 8-23-30-2.

39 **(g) The bureau shall submit a report annually to the Indiana**  
40 **utility regulatory commission that includes information regarding**  
41 **the number of electric vehicles registered by county.**

42 SECTION 22. IC 9-18.5-12-5, AS AMENDED BY P.L.111-2021,



1 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2023]: Sec. 5. (a) **Beginning July 1, 2023, and each year**  
3 **thereafter**, the bureau shall forward to the executive director of the  
4 legislative services agency in an electronic format under IC 5-14-6 for  
5 review by the committee the name of a special group **for whom:**

- 6 (1) **that was awarded initially a special group recognition license**  
7 **plate by the bureau more than ten (10) years in the past; and ten**  
8 **(10) years have elapsed since the special group was admitted**  
9 **into the special group recognition license plate program; or**  
10 (2) **whose special group recognition license plate has not been**  
11 **reviewed by the special group recognition license plate committee**  
12 **established by IC 2-5-36.2-4 (repealed) or the committee during**  
13 **the ten (10) year period following the initial or subsequent award**  
14 **of the special group recognition license plate: ten (10) years have**  
15 **elapsed since the previous review of the special group by the**  
16 **special group recognition license plate committee established**  
17 **by IC 2-5-36.2-4 (repealed) or the committee as required**  
18 **under this section.**

19 Upon receipt of the name of a special group, except for a petition under  
20 section 3(a)(8) of this chapter, the committee shall require the special  
21 group to submit to the committee evidence of the criteria set forth in  
22 section 3 of this chapter. Upon submission of the criteria, the  
23 committee shall review the suitability of the special group to continue  
24 participating in the special group recognition license plate program. In  
25 the review, the committee shall consider the criteria set forth in section  
26 3 of this chapter and may seek additional evidence of the criteria from  
27 a special group. The committee shall recommend to the bureau that  
28 participation in the special group recognition license plate program be  
29 terminated if the committee finds that termination is appropriate  
30 because the special group is not suitable for inclusion in the special  
31 group license plate program.

32 **(b) If a special group was subject to a decennial review under**  
33 **this section before July 1, 2023, then the next review occurs in the**  
34 **year which is a multiple of ten (10) years after the year of the**  
35 **special group's admittance to the special group recognition license**  
36 **plate program under this section.**

37 ~~(b)~~ (c) Upon receiving a recommendation of termination for a  
38 special group under subsection (a), the bureau may:

- 39 (1) terminate the special group from participation in the special  
40 group recognition license plate program; or  
41 (2) allow the special group to continue participating in the special  
42 group recognition license plate program for a period of not more



- 1 than eighteen (18) months.
- 2 ~~(e)~~ **(d)** If the bureau terminates the participation of a special group
- 3 under subsection ~~(b)(1)~~; **(c)(1)**:
- 4 (1) the bureau may not issue additional special group recognition
- 5 license plates of the special group to plateholders; and
- 6 (2) a plateholder may not renew a special group recognition
- 7 license plate of the special group.
- 8 If the special group desires to continue participating in the special
- 9 group recognition license plate program, the special group must submit
- 10 an application to the bureau containing the criteria set forth in section
- 11 3 of this chapter. The bureau shall then follow the procedure set forth
- 12 in section 3 of this chapter.
- 13 ~~(d)~~ **(e)** If the bureau allows a special group to continue participating
- 14 in the special group recognition license plate program for a period
- 15 under subsection ~~(b)(2)~~; **(c)(2)**, the bureau shall:
- 16 (1) establish the duration of the set period under subsection
- 17 ~~(b)(2)~~; **(c)(2)**; and
- 18 (2) require the special group to submit to the bureau:
- 19 (A) evidence of the criteria set forth in section 3 of this
- 20 chapter; and
- 21 (B) any additional information the bureau determines is
- 22 necessary.
- 23 ~~(e)~~ **(f)** The bureau shall:
- 24 (1) review the evidence and additional information submitted by
- 25 a special group under subsection ~~(d)(2)~~; **(e)(2)**; and
- 26 (2) determine whether to terminate or continue the participation
- 27 of the special group in the special group recognition license plate
- 28 program.
- 29 ~~(f)~~ **(g)** After the review under subsection ~~(e)~~; **(f)**, if the bureau
- 30 terminates the participation of the special group and the special group
- 31 desires to continue participating, the special group must submit an
- 32 application to the bureau containing the criteria set forth in section 3 of
- 33 this chapter. The bureau shall then follow the procedure set forth in
- 34 section 3 of this chapter.
- 35 ~~(g)~~ **(h)** After the review under subsection ~~(e)~~; **(f)**, if the bureau
- 36 continues the participation of the special group in the special group
- 37 recognition license plate program, the bureau may do one (1) or more
- 38 of the following:
- 39 (1) Allow the special group to remedy the defect or the violation
- 40 that caused the special group to not be suitable for inclusion in the
- 41 special group recognition license plate program.
- 42 (2) Place restrictions on or temporarily suspend the sales of



1 special group recognition license plates for the special group.  
 2 (3) Require the special group to appear before the commission for  
 3 review or reinstatement, or both.  
 4 ~~(h)~~ (i) The bureau may suspend the issuance of a special group  
 5 recognition license plate for a special group if the bureau, upon  
 6 investigation, has determined that the special group has advocated or  
 7 committed a violation of federal or state law.  
 8 SECTION 23. IC 9-18.5-29-3, AS AMENDED BY P.L.118-2022,  
 9 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2023]: Sec. 3. (a) An individual who registers a vehicle under  
 11 this title may apply for and receive a Hoosier veteran license plate for  
 12 one (1) or more vehicles upon doing the following:  
 13 (1) Completing an application for a Hoosier veteran license plate.  
 14 (2) Presenting one (1) of the following to the bureau:  
 15 (A) A United States Uniformed Services Retiree Identification  
 16 Card.  
 17 (B) A DD 214 or DD 215 record.  
 18 (C) United States military discharge papers.  
 19 (D) A current armed forces identification card.  
 20 (E) A **physical credential or mobile credential** issued to the  
 21 individual that contains an indication of veteran status under  
 22 IC 9-24-11-5.5.  
 23 (3) Paying a fee in an amount of fifteen dollars (\$15).  
 24 (b) The bureau shall distribute at least one (1) time each month the  
 25 fee described in subsection (a)(3) to the director of veterans' affairs for  
 26 deposit in the military family relief fund established under  
 27 IC 10-17-12-8.  
 28 SECTION 24. IC 9-21-3-7, AS AMENDED BY P.L.149-2015,  
 29 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2023]: Sec. 7. (a) Whenever traffic is controlled by traffic  
 31 control signals exhibiting different colored lights or colored lighted  
 32 arrows successively, one (1) at a time or in combination, only the  
 33 colors green, red, or yellow may be used, except for special pedestrian  
 34 signals under IC 9-21-18.  
 35 (b) The lights indicate and apply to drivers of vehicles and  
 36 pedestrians as follows:  
 37 (1) Green indication means the following:  
 38 (A) Vehicular traffic facing a circular green signal may  
 39 proceed straight through or turn right or left, unless a sign at  
 40 the place prohibits either turn.  
 41 (B) Vehicular traffic, including vehicles turning right or left,  
 42 shall yield the right-of-way to other vehicles and to pedestrians



- 1 lawfully within the intersection or an adjacent sidewalk at the  
 2 time the signal is exhibited.
- 3 (C) Vehicular traffic facing a green arrow signal, shown alone  
 4 or in combination with another indication, may cautiously  
 5 enter the intersection only to make the movement indicated by  
 6 the green arrow or other movement permitted by other  
 7 indications shown at the same time.
- 8 (D) Vehicular traffic shall yield the right-of-way to pedestrians  
 9 lawfully within an adjacent crosswalk and to other traffic  
 10 lawfully using the intersection.
- 11 (E) Unless otherwise directed by a pedestrian control signal,  
 12 pedestrians facing a green signal, except when the sole green  
 13 signal is a turn arrow, may proceed across the roadway within  
 14 a marked or unmarked crosswalk.
- 15 (2) Steady yellow indication means the following:
- 16 (A) Vehicular traffic facing a steady circular yellow or yellow  
 17 arrow signal is warned that the related green movement is  
 18 being terminated and that a red indication will be exhibited  
 19 immediately thereafter.
- 20 (B) A pedestrian facing a steady circular yellow or yellow  
 21 arrow signal, unless otherwise directed by a pedestrian control  
 22 signal, is advised that there is insufficient time to cross the  
 23 roadway before a red indication is shown, and a pedestrian  
 24 may not start to cross the roadway at that time.
- 25 (3) Steady red indication means the following:
- 26 (A) Except as provided in clauses (B) and (D), vehicular  
 27 traffic facing a steady circular red or red arrow signal shall  
 28 stop at a clearly marked stop line. However, if there is no  
 29 clearly marked stop line, vehicular traffic shall stop before  
 30 entering the crosswalk on the near side of the intersection. If  
 31 there is no crosswalk, vehicular traffic shall stop before  
 32 entering the intersection and shall remain standing until an  
 33 indication to proceed is shown.
- 34 (B) Except when a sign is in place prohibiting a turn described  
 35 in this subdivision, vehicular traffic facing a steady red signal,  
 36 after coming to a complete stop, may cautiously enter the  
 37 intersection to do the following:
- 38 (i) Make a right turn.
- 39 (ii) Make a left turn if turning from the left lane of a  
 40 one-way street into another one-way street with the flow of  
 41 traffic.
- 42 Vehicular traffic making a turn described in this subdivision



1 shall yield the right-of-way to pedestrians lawfully within an  
 2 adjacent crosswalk and to other traffic using the intersection.  
 3 (C) Unless otherwise directed by a pedestrian control signal  
 4 pedestrians facing a steady circular red or red arrow signal  
 5 may not enter the roadway.  
 6 (D) This clause does not apply to the operation of an  
 7 autocytle. If the operator of a motorcycle, motor driven cycle,  
 8 or bicycle approaches an intersection that is controlled by a  
 9 traffic control signal, the operator may proceed through the  
 10 intersection on a steady red signal only if the operator:  
 11 (i) comes to a complete stop at the intersection for at least  
 12 one hundred twenty (120) seconds; and  
 13 (ii) exercises due caution as provided by law, otherwise  
 14 treats the traffic control signal as a stop sign, and determines  
 15 that it is safe to proceed.  
 16 (4) No indication or conflicting indications means the following:  
 17 (A) Except as provided in clause (C), vehicular traffic facing  
 18 an intersection having a signal that displays no indication or  
 19 conflicting indications, where no other control is present, shall  
 20 stop before entering the intersection.  
 21 (B) After stopping, vehicular traffic may proceed with caution  
 22 through the intersection and shall yield the right-of-way to  
 23 traffic within the intersection or approaching so closely as to  
 24 constitute an immediate hazard.  
 25 (C) Vehicular traffic entering an intersection or crosswalk  
 26 facing a pedestrian hybrid beacon may proceed without  
 27 stopping if no indication is displayed on the pedestrian hybrid  
 28 beacon.  
 29 (5) This section applies to traffic control signals located at a place  
 30 other than an intersection. A stop required under this subdivision  
 31 must be made at the signal, except when the signal is  
 32 supplemented by a sign or pavement marking indicating where  
 33 the stop must be made.  
 34 **(c) A consolidated city may not adopt an ordinance requiring**  
 35 **the installation of a sign prohibiting a turn described in subsection**  
 36 **(b)(3)(B).**  
 37 SECTION 25. IC 9-21-8-35, AS AMENDED BY P.L.116-2020,  
 38 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2023]: Sec. 35. (a) Upon the immediate approach of an  
 40 authorized emergency vehicle, when the person who drives the  
 41 authorized emergency vehicle is giving audible signal by siren or  
 42 displaying alternately flashing red, red and white, or red and blue



1 lights, a person who drives another vehicle shall do the following  
 2 unless otherwise directed by a law enforcement officer:

3 (1) Yield the right-of-way.

4 (2) Immediately drive to a position parallel to and as close as  
 5 possible to the right-hand edge or curb of the highway clear of any  
 6 intersection.

7 (3) Stop and remain in the position until the authorized  
 8 emergency vehicle has passed.

9 (b) Upon approaching a stationary authorized emergency vehicle,  
 10 when the authorized emergency vehicle is giving a signal by displaying  
 11 alternately flashing red, red and white, or red and blue lights, a person  
 12 who drives an approaching vehicle shall:

13 (1) proceeding with due caution, yield the right-of-way by making  
 14 a lane change into a lane not adjacent to that of the authorized  
 15 emergency vehicle, if possible with due regard to safety and  
 16 traffic conditions, if on a highway having at least four (4) lanes  
 17 with not less than two (2) lanes proceeding in the same direction  
 18 as the approaching vehicle; or

19 (2) proceeding with due caution, reduce the speed of the vehicle  
 20 to a speed at least ten (10) miles per hour less than the posted  
 21 speed limit, maintaining a safe speed for road conditions, if  
 22 changing lanes would be impossible or unsafe.

23 A person who violates this subsection commits a Class A infraction.  
 24 However, the violation is a Level 6 felony if the person's failure to  
 25 comply with this subsection results in serious bodily injury,  
 26 catastrophic injury, or death to any person operating, occupying, or  
 27 affiliated with an authorized emergency vehicle described in this  
 28 subsection.

29 (c) Upon approaching a stationary recovery vehicle, a stationary  
 30 utility service vehicle (as defined in IC 8-1-8.3-5), a stationary solid  
 31 waste hauler, a stationary road, street, or highway maintenance vehicle,  
 32 or a stationary survey or construction vehicle, when the vehicle is  
 33 giving a signal by displaying alternately flashing amber lights, a person  
 34 who drives an approaching vehicle shall:

35 (1) proceeding with due caution, yield the right-of-way by making  
 36 a lane change into a lane not adjacent to that of the recovery  
 37 vehicle, utility service vehicle, solid waste hauler, or road, street,  
 38 or highway maintenance vehicle, if possible with due regard to  
 39 safety and traffic conditions, if on a highway having at least four  
 40 (4) lanes with not less than two (2) lanes proceeding in the same  
 41 direction as the approaching vehicle; or

42 (2) proceeding with due caution, reduce the speed of the vehicle





- 1 to a speed at least ten (10) miles per hour less than the posted  
 2 speed limit, maintaining a safe speed for road conditions, if  
 3 changing lanes would be impossible or unsafe.
- 4 A person who violates this ~~section~~ **subsection** commits a Class B  
 5 infraction.
- 6 **(d) This subsection does not apply to a vehicle approaching**  
 7 **another vehicle that is described in subsection (b) or (c) or a vehicle**  
 8 **approaching a school bus when the arm signal device specified in**  
 9 **IC 9-21-12-13 is in the device's extended position. Upon**  
 10 **approaching a disabled stationary vehicle with flashing hazard**  
 11 **warning signals, a person who drives an approaching vehicle shall:**
- 12 **(1) proceeding with due caution, yield the right-of-way by**  
 13 **making a lane change into a lane not adjacent to that of the**  
 14 **disabled stationary vehicle, if possible with due regard to**  
 15 **safety and traffic conditions, if on a highway having at least**  
 16 **four (4) lanes with not less than two (2) lanes proceeding in**  
 17 **the same direction as the approaching vehicle; or**
- 18 **(2) proceeding with due caution, reduce the speed of the**  
 19 **vehicle to a speed at least ten (10) miles per hour less than the**  
 20 **posted speed limit maintaining a safe speed for road**  
 21 **conditions, if changing lanes would be impossible or unsafe.**
- 22 **A person who violates this subsection commits a Class B infraction.**
- 23 ~~(d)~~ **(e) This section does not operate to relieve the person who drives**  
 24 **an authorized emergency vehicle; a recovery vehicle; a utility service**  
 25 **vehicle; solid waste hauler; a road, street, or highway maintenance**  
 26 **vehicle; or a stationary survey or construction vehicle a vehicle**  
 27 **described under this section from the duty to operate the vehicle with**  
 28 **due regard for the safety of all persons using the highway.**
- 29 SECTION 26. IC 9-24-1-1, AS AMENDED BY P.L.111-2021,  
 30 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2023]: Sec. 1. (a) Except as provided in section 7 of this  
 32 chapter, an individual must have a valid:
- 33 (1) driver's license; or  
 34 (2) permit;
- 35 including any necessary endorsements, issued to the individual by the  
 36 bureau **in the form of a physical credential** to operate upon a highway  
 37 the type of motor vehicle for which the driver's license, endorsement,  
 38 or permit was issued.
- 39 (b) An individual must have:
- 40 (1) an unexpired identification card with a motor driven cycle  
 41 endorsement issued to the individual by the bureau under  
 42 IC 9-24-16;



- 1 (2) a valid driver's license; or  
 2 (3) a valid learner's permit;  
 3 **issued in the form of a physical credential** to operate a motor driven  
 4 cycle upon a highway.  
 5 (c) An individual who violates this section commits a Class C  
 6 infraction.  
 7 SECTION 27. IC 9-24-1-7, AS AMENDED BY P.L.256-2017,  
 8 SECTION 164, IS AMENDED TO READ AS FOLLOWS  
 9 [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Section 1 of this chapter  
 10 does not apply to the following individuals:  
 11 (1) An individual in the service of the armed forces of the United  
 12 States while operating an official motor vehicle in that service.  
 13 (2) An individual who is at least sixteen (16) years and one  
 14 hundred eighty (180) days of age, while operating:  
 15 (A) road construction or maintenance machinery;  
 16 (B) a ditch digging apparatus;  
 17 (C) a well drilling apparatus; or  
 18 (D) a concrete mixer;  
 19 that is being temporarily drawn, moved, or propelled on a  
 20 highway.  
 21 (3) A nonresident who:  
 22 (A) is:  
 23 (i) at least sixteen (16) years and one hundred eighty (180)  
 24 days of age; or  
 25 (ii) employed in Indiana;  
 26 (B) has in the nonresident's immediate possession a valid  
 27 driver's license that was issued to the nonresident in the  
 28 nonresident's home state or country; and  
 29 (C) is ~~lawfully admitted into~~ **legally present** in the United  
 30 States;  
 31 while operating on a highway the type of motor vehicle for which  
 32 the driver's license was issued, subject to the restrictions imposed  
 33 by the home state or country of the individual's residence.  
 34 (4) A new Indiana resident who:  
 35 (A) possesses a valid driver's license issued by the state or  
 36 country of the individual's former residence; and  
 37 (B) is ~~lawfully admitted~~ **legally present** in the United States;  
 38 for a period of sixty (60) days after becoming an Indiana resident,  
 39 and subject to the restrictions imposed by the state or country of  
 40 the individual's former residence while operating upon a highway  
 41 the type of motor vehicle for which the driver's license was  
 42 issued.



1 (5) An individual while operating a farm wagon that is being  
 2 temporarily drawn, moved, or propelled on a public highway.  
 3 However, to operate the farm wagon on a highway, other than to  
 4 temporarily draw, move, or propel it, the individual must be at  
 5 least fifteen (15) years of age.

6 (6) An individual who does not hold a driver's license or permit  
 7 and is authorized to operate a golf cart or an off-road vehicle on  
 8 the highways of a county, city, or town in accordance with an  
 9 ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).

10 (b) An ordinance adopted under IC 9-21-1-3(a)(14) or  
 11 IC 9-21-1-3.3(a) must require that an individual who operates a golf  
 12 cart or off-road vehicle in the city, county, or town:

13 (1) hold a driver's license; or

14 (2) be at least sixteen (16) years and one hundred eighty (180)  
 15 days of age and hold:

16 (A) an identification card issued under IC 9-24-16; or

17 (B) a photo exempt identification card issued under  
 18 IC 9-24-16.5.

19 SECTION 28. IC 9-24-2-3, AS AMENDED BY P.L.118-2022,  
 20 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 UPON PASSAGE]: Sec. 3. (a) The bureau may not issue a driver's  
 22 license or learner's permit or grant driving privileges to the following  
 23 individuals:

24 (1) An individual whose driving privileges have been suspended,  
 25 during the period for which the driving privileges are suspended,  
 26 or to an individual whose driver's license has been revoked, until  
 27 the time the bureau is authorized under Indiana law to issue the  
 28 individual a new driver's license.

29 (2) An individual whose learner's permit has been suspended or  
 30 revoked until the time the bureau is authorized under Indiana law  
 31 to issue the individual a new learner's permit.

32 (3) An individual who, in the opinion of the bureau, is afflicted  
 33 with or suffering from a physical or mental disability or disease  
 34 that prevents the individual from exercising reasonable and  
 35 ordinary control over a motor vehicle while operating the motor  
 36 vehicle on a highway.

37 (4) An individual who is unable to understand highway warnings  
 38 or direction signs written in the English language.

39 (5) An individual who is required under this article to take an  
 40 examination unless:

41 (A) the individual successfully passes the examination; or

42 (B) the bureau waives the examination requirement.



- 1 (6) An individual who is required under IC 9-25 or any other
- 2 statute to deposit or provide proof of financial responsibility and
- 3 who has not deposited or provided that proof.
- 4 (7) An individual when the bureau has good cause to believe that
- 5 the operation of a motor vehicle on a highway by the individual
- 6 would be inimical to public safety or welfare.
- 7 (8) An individual who is the subject of an order issued by:
- 8 (A) a court under IC 31-16-12-7 (or IC 31-1-11.5-13,
- 9 IC 31-6-6.1-16, or IC 31-14-12-4 before their repeal); or
- 10 (B) the Title IV-D agency;
- 11 ordering that a driver's license or permit not be issued to the
- 12 individual.
- 13 (9) ~~An~~ **Except for an individual granted parole as defined in**
- 14 **IC 9-13-2-121.5, an** individual who has not presented valid
- 15 documentary evidence to the bureau of the individual's ~~legal~~
- 16 **lawful** status in the United States, as required by IC 9-24-9-2.5.
- 17 (10) An individual who does not otherwise satisfy the
- 18 requirements of this article.

19 (b) An individual subject to epileptic seizures may not be denied a  
 20 driver's license or permit under this section if the individual presents  
 21 a statement from a licensed physician or an advanced practice  
 22 registered nurse, on a form prescribed by the bureau, that the individual  
 23 is under medication and is free from seizures while under medication.

24 SECTION 29. IC 9-24-3-6, AS ADDED BY P.L.111-2021,  
 25 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2023]: Sec. 6. (a) The bureau may impose an additional fee of  
 27 twenty-five dollars (\$25) if the bureau processes a ~~credential~~ **an**  
 28 **application for a physical credential** under this chapter in a period of  
 29 time that is shorter than the normal processing period. The bureau shall  
 30 deposit the fee in the commission fund.

31 (b) A fee imposed under this section is in addition to any other fee  
 32 imposed under this chapter.

33 SECTION 30. IC 9-24-4-7, AS ADDED BY P.L.111-2021,  
 34 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2023]: Sec. 7. (a) The bureau may impose an additional fee of  
 36 twenty-five dollars (\$25) if the bureau processes a ~~credential~~ **an**  
 37 **application for a physical credential** under this chapter in a period of  
 38 time that is shorter than the normal processing period. The bureau shall  
 39 deposit the fee in the commission fund.

40 (b) A fee imposed under this section is in addition to any other fee  
 41 imposed under this chapter.

42 SECTION 31. IC 9-24-6.1-11, AS ADDED BY P.L.111-2021,



1 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2023]: Sec. 11. (a) The bureau may impose an additional fee  
3 of twenty-five dollars (\$25) if the bureau processes ~~a credential~~ **an**  
4 **application for a physical credential** under this chapter in a period of  
5 time that is shorter than the normal processing period. The bureau shall  
6 deposit the fee in the commission fund.

7 (b) A fee imposed under this section is in addition to any other fee  
8 imposed under this chapter.

9 SECTION 32. IC 9-24-7-8, AS ADDED BY P.L.111-2021,  
10 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2023]: Sec. 8. (a) The bureau may impose an additional fee of  
12 twenty-five dollars (\$25) if the bureau processes ~~a credential~~ **an**  
13 **application for a physical credential** under this chapter in a period of  
14 time that is shorter than the normal processing period. The bureau shall  
15 deposit the fee in the commission fund.

16 (b) A fee imposed under this section is in addition to any other fee  
17 imposed under this chapter.

18 SECTION 33. IC 9-24-8.5-3, AS AMENDED BY P.L.111-2021,  
19 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2023]: Sec. 3. (a) The bureau shall add a motorcycle  
21 endorsement to a driver's license if the holder meets the following  
22 conditions:

23 (1) Is at least:

24 (A) sixteen (16) years and ninety (90) days of age and has  
25 completed a motorcycle operator safety education course  
26 approved by the bureau under IC 9-27-7; or

27 (B) sixteen (16) years and two hundred seventy (270) days of  
28 age.

29 (2) Makes a proper application in the form and manner prescribed  
30 by the bureau.

31 (3) Has passed a written examination developed by the bureau  
32 concerning the safe operation of a motorcycle.

33 (4) Satisfactorily completes an operational skills test at a location  
34 approved by the bureau.

35 (5) Pays a fee of nineteen dollars (\$19). The fee shall be  
36 distributed as follows:

37 (A) Fifty cents (\$0.50) to the state motor vehicle technology  
38 fund.

39 (B) One dollar and twenty-five cents (\$1.25) to the motor  
40 vehicle highway account.

41 (C) One dollar and twenty-five cents (\$1.25) to the integrated  
42 public safety communications fund.



- 1 (D) Sixteen dollars (\$16) to the commission fund.
- 2 (b) The bureau may waive the testing requirements under subsection
- 3 (a)(3) and (a)(4) for an individual who satisfactorily completes a
- 4 motorcycle operator safety course approved by the bureau as set forth
- 5 in IC 9-27-7.
- 6 (c) The bureau may waive the operational skills test under
- 7 subsection (a)(4) for an individual who holds a valid motorcycle
- 8 endorsement or motorcycle license from any other jurisdiction.
- 9 (d) An individual who fails the operational skills test under
- 10 subsection (a)(4) three (3) consecutive times is not eligible to retake
- 11 the test until two (2) months after the date of the most recent failed test.
- 12 (e) The fee for a motorcycle operational skills test administered
- 13 under this chapter is as follows:
- 14 (1) For tests given by state employees, the fee is five dollars (\$5)
- 15 and shall be deposited in the motor vehicle highway account
- 16 under IC 8-14-1.
- 17 (2) For tests given by a contractor approved by the bureau, the fee
- 18 is:
- 19 (A) determined under rules adopted by the bureau under
- 20 IC 4-22-2 to cover the direct costs of administering the test;
- 21 and
- 22 (B) paid to the contractor.
- 23 (f) The bureau may impose an additional fee of twenty-five dollars
- 24 (\$25) if the bureau processes a ~~credential~~ **an application for a physical**
- 25 **credential** under this chapter in a period of time that is shorter than the
- 26 normal processing period. The bureau shall deposit the fee in the
- 27 commission fund.
- 28 (g) A fee imposed under this section is in addition to any other fee
- 29 imposed under this chapter.
- 30 SECTION 34. IC 9-24-8.5-5, AS AMENDED BY P.L.111-2021,
- 31 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 32 JULY 1, 2023]: Sec. 5. (a) The bureau shall add a for-hire endorsement
- 33 to a driver's license if the holder meets the following conditions:
- 34 (1) Is at least eighteen (18) years of age.
- 35 (2) Has held a valid driver's license for more than one (1) year.
- 36 (3) Makes a proper application in a form and manner prescribed
- 37 by the bureau.
- 38 (4) Satisfactorily passes a written test approved by the bureau.
- 39 (5) Pays a fee of nineteen dollars (\$19). The fee shall be
- 40 distributed as follows:
- 41 (A) Fifty cents (\$0.50) to the state motor vehicle technology
- 42 fund.



- 1 (B) One dollar and twenty-five cents (\$1.25) to the motor
- 2 vehicle highway account.
- 3 (C) One dollar and twenty-five cents (\$1.25) to the integrated
- 4 public safety communications fund.
- 5 (D) Sixteen dollars (\$16) to the commission fund.
- 6 (b) The bureau may impose an additional fee of twenty-five dollars
- 7 (\$25) if the bureau processes ~~a credential~~ **an application for a physical**
- 8 **credential** under this chapter in a period of time that is shorter than the
- 9 normal processing period. The bureau shall deposit the fee in the
- 10 commission fund.
- 11 (c) A fee imposed under this section is in addition to any other fee
- 12 imposed under this chapter.
- 13 SECTION 35. IC 9-24-9-2, AS AMENDED BY P.L.178-2019,
- 14 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 UPON PASSAGE]: Sec. 2. (a) Except as provided in subsection (b),
- 16 each application for a driver's license or permit under this chapter must
- 17 require the following information:
- 18 (1) The full legal name of the applicant.
- 19 (2) The applicant's date of birth.
- 20 (3) The gender of the applicant.
- 21 (4) The applicant's height, weight, hair color, and eye color.
- 22 (5) The address of the applicant.
- 23 (6) A:
- 24 (A) valid Social Security number; or
- 25 (B) verification of an applicant's:
- 26 (i) ineligibility to be issued a Social Security number; ~~and~~
- 27 (ii) identity; and
- 28 (iii) lawful status, **except for an individual granted parole**
- 29 **as defined in IC 9-13-2-121.5.**
- 30 (7) Whether the applicant has been subject to fainting spells or
- 31 seizures.
- 32 (8) Whether the applicant has been issued a driver's license or has
- 33 been the holder of a permit, and if so, when and by what
- 34 jurisdiction.
- 35 (9) Whether the applicant's driver's license or permit has ever
- 36 been suspended or revoked, and if so, the date of and the reason
- 37 for the suspension or revocation.
- 38 (10) Whether the applicant has been convicted of:
- 39 (A) a crime punishable as a felony under Indiana motor
- 40 vehicle law; or
- 41 (B) any other felony in the commission of which a motor
- 42 vehicle was used;



1 that has not been expunged by a court.

2 (11) Whether the applicant has a physical or mental disability,  
3 and if so, the nature of the disability.

4 (12) The signature of the applicant showing the applicant's legal  
5 name as it appears or will appear on the driver's license or permit.

6 (13) A digital photograph of the applicant.

7 (14) Any other information the bureau requires.

8 (b) For purposes of subsection (a), an individual certified as a  
9 program participant in the address confidentiality program under  
10 IC 5-26.5 is not required to provide the individual's address, but may  
11 provide an address designated by the office of the attorney general  
12 under IC 5-26.5 as the individual's address.

13 (c) In addition to the information required by subsection (a), an  
14 applicant who is required to complete at least fifty (50) hours of  
15 supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or  
16 IC 9-24-3-2.5(a)(2)(D) must submit to the bureau evidence of the time  
17 logged in practice driving.

18 SECTION 36. IC 9-24-9-2.5, AS AMENDED BY P.L.198-2016,  
19 SECTION 465, IS AMENDED TO READ AS FOLLOWS  
20 [EFFECTIVE UPON PASSAGE]: Sec. 2.5. In addition to the  
21 information required from the applicant for a driver's license or permit  
22 under sections 1 and 2 of this chapter, the bureau shall require an  
23 applicant to present to the bureau valid documentary evidence that the  
24 applicant **has lawful status or is granted parole as defined in**  
25 **IC 9-13-2-121.5.**

26 (1) is a citizen or national of the United States;

27 (2) is an alien lawfully admitted for permanent residence in the  
28 United States;

29 (3) has conditional permanent resident status in the United States;

30 (4) has an approved application for asylum in the United States or  
31 has entered into the United States in refugee status;

32 (5) is an alien lawfully admitted for temporary residence in the  
33 United States;

34 (6) has a valid unexpired nonimmigrant visa or nonimmigrant visa  
35 status for entry into the United States;

36 (7) has a pending application for asylum in the United States;

37 (8) has a pending or approved application for temporary protected  
38 status in the United States;

39 (9) has approved deferred action status; or

40 (10) has a pending application for adjustment of status to that of  
41 an alien lawfully admitted for permanent residence in the United  
42 States or conditional permanent resident status in the United





1 States:

2 SECTION 37. IC 9-24-10-4.5 IS ADDED TO THE INDIANA  
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
4 [EFFECTIVE UPON PASSAGE]: **Sec. 4.5. (a) A driver training**  
5 **school (as defined in IC 9-27-6-3) may offer to administer a driving**  
6 **skills test (as defined in 140 IAC 4-1.1-1) to an individual who holds**  
7 **a valid learner's permit.**

8 **(b) This section expires June 30, 2030.**

9 SECTION 38. IC 9-24-11-4, AS AMENDED BY P.L.120-2020,  
10 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2023]: Sec. 4. (a) Except as provided in subsection (d), an  
12 individual may not hold or possess more than one (1) **physical**  
13 **credential** at a time.

14 (b) An individual may not hold or possess:

15 (1) a **physical** credential; and

16 (2) a driver's license or identification card issued by a government  
17 authority that issues driver's licenses and identification cards from  
18 another state, territory, federal district, commonwealth, or  
19 possession of the United States.

20 (c) An individual shall destroy or surrender to the bureau any and  
21 all **physical** credentials ~~driver's licenses, or identification cards~~ that  
22 would cause the individual to violate subsection (a) or (b).

23 (d) An individual may hold both a **physical** credential ~~in physical~~  
24 ~~form and in the form of~~ a mobile credential issued under this article at  
25 the same time.

26 (e) An individual who violates this section commits a Class C  
27 infraction.

28 ~~(f) Notwithstanding the July 1, 2021, effective date in HEA~~  
29 ~~1506-2019, SECTION 48 (P.L.178-2019), this section takes effect July~~  
30 ~~1, 2020 (rather than July 1, 2021):~~

31 SECTION 39. IC 9-24-11-5, AS AMENDED BY P.L.120-2020,  
32 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 UPON PASSAGE]: Sec. 5. (a) Except as provided in subsection (d), a  
34 learner's permit or driver's license issued under this article must contain  
35 the following information:

36 (1) The full legal name of the permittee or licensee.

37 (2) The date of birth of the permittee or licensee.

38 (3) The address of the principal residence of the permittee or  
39 licensee.

40 (4) The hair color and eye color of the permittee or licensee.

41 (5) The date of issue and expiration date of the permit or license.

42 (6) The gender of the permittee or licensee.



- 1 (7) The unique identifying number of the permit or license.  
 2 (8) The weight of the permittee or licensee.  
 3 (9) The height of the permittee or licensee.  
 4 (10) A reproduction of the signature of the permittee or licensee.  
 5 (11) If the permittee or licensee is less than eighteen (18) years of  
 6 age at the time of issuance, the dates, notated prominently, on  
 7 which the permittee or licensee will become:  
 8 (A) eighteen (18) years of age; and  
 9 (B) twenty-one (21) years of age.  
 10 (12) If the permittee or licensee is at least eighteen (18) years of  
 11 age but less than twenty-one (21) years of age at the time of  
 12 issuance, the date, notated prominently, on which the permittee or  
 13 licensee will become twenty-one (21) years of age.  
 14 (13) Except as provided in subsection (b), a digital photograph of  
 15 the permittee or licensee.  
 16 (b) The bureau may provide for the omission of a photograph or  
 17 computerized image from any driver's license or learner's permit **issued**  
 18 **in the form of a physical credential** if there is good cause for the  
 19 omission. However, a driver's license or learner's permit issued without  
 20 a digital photograph **may not be issued in the form of a mobile**  
 21 **credential and** must include a statement that indicates that the driver's  
 22 license or learner's permit **issued without a digital photograph** may  
 23 not be accepted by a federal agency for federal identification or any  
 24 other federal purpose.  
 25 (c) A driver's license or learner's permit issued to an individual who  
 26 **has temporary lawful status or is granted parole as defined in**  
 27 **IC 9-13-2-121.5 by having:**  
 28 (1) ~~has~~ a valid, unexpired nonimmigrant visa or has nonimmigrant  
 29 visa status for entry in the United States;  
 30 (2) ~~has~~ a pending application for asylum in the United States;  
 31 (3) ~~has~~ a pending or approved application for temporary protected  
 32 status in the United States;  
 33 (4) ~~has~~ approved deferred action status; or  
 34 (5) ~~has~~ a pending application for adjustment of status to that of an  
 35 alien lawfully admitted for permanent residence in the United  
 36 States or conditional permanent residence status in the United  
 37 States;  
 38 must be clearly identified as a temporary driver's license or learner's  
 39 permit. A temporary driver's license or learner's permit issued under  
 40 this subsection may not be renewed without the presentation of valid  
 41 documentary evidence proving that the licensee's or permittee's  
 42 temporary status has been extended.



1 (d) For purposes of subsection (a), an individual certified as a  
 2 program participant in the address confidentiality program under  
 3 IC 5-26.5 is not required to provide the address of the individual's  
 4 principal residence, but may provide an address designated by the  
 5 office of the attorney general under IC 5-26.5 as the address of the  
 6 individual's principal residence.

7 ~~(e) Notwithstanding the July 1, 2021, effective date in HEA~~  
 8 ~~1506-2019, SECTION 49 (P.L.178-2019), this section takes effect July~~  
 9 ~~1, 2020 (rather than July 1, 2021).~~

10 SECTION 40. IC 9-24-11-12, AS ADDED BY P.L.111-2021,  
 11 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2023]: Sec. 12. (a) The bureau may impose an additional fee  
 13 of twenty-five dollars (\$25) if the bureau processes a ~~credential~~ **an**  
 14 **application for a physical credential** under this chapter in a period of  
 15 time that is shorter than the normal processing period. The bureau shall  
 16 deposit the fee in the commission fund.

17 (b) A fee imposed under this section is in addition to any other fee  
 18 imposed under this chapter.

19 SECTION 41. IC 9-24-12-0.5, AS AMENDED BY P.L.198-2016,  
 20 SECTION 489, IS AMENDED TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2023]: Sec. 0.5. (a) A learner's permit **issued in**  
 22 **the form of a physical credential** expires two (2) years after the date  
 23 of issuance.

24 (b) A motorcycle permit expires one (1) year after the date of  
 25 issuance. A motorcycle permit may be renewed one (1) time for a  
 26 period of one (1) year. An individual who does not obtain a motorcycle  
 27 endorsement under IC 9-24-8.5 before the expiration of the renewed  
 28 motorcycle permit may not reapply for a new motorcycle permit for a  
 29 period of one (1) year after the date of expiration of the renewed  
 30 motorcycle permit.

31 (c) A commercial learner's permit expires one hundred eighty (180)  
 32 days after the date of issuance. The bureau may issue not more than  
 33 three (3) commercial learner's permits to an individual within a  
 34 twenty-four (24) month period.

35 (d) The fee to renew a permit that expires under this section is the  
 36 applicable fee to issue the permit under this article.

37 SECTION 42. IC 9-24-12-1, AS AMENDED BY P.L.111-2021,  
 38 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 UPON PASSAGE]: Sec. 1. (a) Except as provided in sections 10 and  
 40 11 of this chapter, a driver's license issued **in the form of a physical**  
 41 **credential** to an applicant who is at least seventy-five (75) years of age  
 42 expires at midnight of the birthday of the holder that occurs three (3)



1 years following the date of issuance.

2 (b) Except as provided in subsections (a) and (c) and sections 10  
3 and 11 of this chapter, a driver's license issued **in the form of a**  
4 **physical credential** under this article expires at midnight of the  
5 birthday of the holder that occurs six (6) years following the date of  
6 issuance.

7 (c) A driver's license issued **in the form of a physical credential**  
8 to an individual who is less than twenty-one (21) years of age expires  
9 at midnight of the date thirty (30) days after the twenty-first birthday  
10 of the holder. However, if the individual complies with  
11 ~~IC 9-24-9-2.5(5) through IC 9-24-9-2.5(9)~~, **IC 9-24-9-2.5 or is granted**  
12 **parole as defined in IC 9-13-2-121.5**, the driver's license expires:

13 (1) at midnight one (1) year after issuance if there is no expiration  
14 date on the authorization granted to the individual to remain in the  
15 United States; or

16 (2) if there is an expiration date on the authorization granted to  
17 the individual to remain in the United States, the earlier of the  
18 following:

19 (A) At midnight of the date the authorization to remain in the  
20 United States expires.

21 (B) At midnight of the date thirty (30) days after the  
22 twenty-first birthday of the holder.

23 SECTION 43. IC 9-24-12-4, AS AMENDED BY P.L.111-2021,  
24 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 UPON PASSAGE]: Sec. 4. (a) Except as provided in subsections (c)  
26 and (d), the application for renewal of:

27 (1) a driver's license;

28 (2) a chauffeur's license (before the expiration of IC 9-24-4 on  
29 July 1, 2024);

30 (3) a public passenger chauffeur's license (before the expiration  
31 of IC 9-24-5 on July 1, 2022);

32 (4) an identification card; or

33 (5) a photo exempt identification card;

34 under this article may be filed not more than twenty-four (24) months  
35 before the expiration date of the license, identification card, or photo  
36 exempt identification card held by the applicant.

37 (b) Except as provided in subsections (c) and (d), an application for  
38 the renewal of a learner's permit issued under this article may be filed  
39 not more than thirty (30) days before the expiration of the learner's  
40 permit.

41 (c) When the applicant complies with ~~IC 9-24-9-2.5(5) through~~  
42 ~~IC 9-24-9-2.5(10)~~, **IC 9-24-9-2.5 or is granted parole as defined in**



1 **IC 9-13-2-121.5**, an application for renewal of a driver's license in  
 2 subsection (a)(1), (a)(2), or (a)(3) may be filed not more than one (1)  
 3 month before the expiration date of the license held by the applicant.

4 (d) When the applicant complies with ~~IC 9-24-16-3.5(1)(E) through~~  
 5 ~~IC 9-24-16-3.5(1)(J)~~; **IC 9-24-16-3.5**, an application for renewal of an  
 6 identification card under subsection (a)(4) may be filed not more than  
 7 one (1) month before the expiration date of the identification card held  
 8 by the applicant.

9 SECTION 44. IC 9-24-12-5, AS AMENDED BY P.L.111-2021,  
 10 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2023]: Sec. 5. (a) Except as provided in subsection (b), and  
 12 subject to subsection (d), an individual applying for renewal of a  
 13 driver's license **in the form of a physical credential** (issued under  
 14 IC 9-24-3), or a chauffeur's or a public passenger chauffeur's license,  
 15 including any endorsements in effect with respect to the license, must  
 16 apply in person at a license branch and do the following:

17 (1) Pass an eyesight examination.

18 (2) Pass a written examination if:

19 (A) the applicant has at least six (6) active points on the  
 20 applicant's driving record maintained by the bureau;

21 (B) the applicant has not reached the applicant's twenty-first  
 22 birthday and has active points on the applicant's driving record  
 23 maintained by the bureau; or

24 (C) the applicant is in possession of a driver's license that is  
 25 expired beyond one hundred eighty (180) days.

26 (b) The holder of a driver's license **in the form of a physical**  
 27 **credential** (issued under IC 9-24-3), a chauffeur's or a public passenger  
 28 chauffeur's license, or a learner's permit issued **in the form of a**  
 29 **physical credential** under IC 9-24-7 may renew the license, including  
 30 any endorsements in effect with respect to the license, by mail or by  
 31 electronic service, subject to the following conditions:

32 (1) A valid computerized image of the individual must exist  
 33 within the records of the bureau.

34 (2) The previous renewal of the individual's driver's license  
 35 (issued under IC 9-24-3), chauffeur's or public passenger  
 36 chauffeur's license, or a learner's permit issued under IC 9-24-7  
 37 must not have been by mail or by electronic service.

38 (3) The application for or previous renewal of the individual's  
 39 license or permit must have included a test of the individual's  
 40 eyesight approved by the bureau.

41 (4) If the individual were applying for the license or permit  
 42 renewal in person at a license branch, the individual would not be



- 1 required under subsection (a)(2) to submit to a written  
 2 examination.  
 3 (5) The individual must be a citizen of the United States, as  
 4 shown in the records of the bureau.  
 5 (6) There must not have been any change in the:  
 6 (A) address; or  
 7 (B) name;  
 8 of the individual since the issuance or previous renewal of the  
 9 individual's driver's license (issued under IC 9-24-3), chauffeur's  
 10 or public passenger chauffeur's license, or a learner's permit  
 11 issued under IC 9-24-7.  
 12 (7) The driver's license (issued under IC 9-24-3), chauffeur's or  
 13 public passenger chauffeur's license, or a learner's permit issued  
 14 under IC 9-24-7 of the individual must not be:  
 15 (A) suspended; or  
 16 (B) expired more than one hundred eighty (180) days;  
 17 at the time of the application for renewal.  
 18 (8) If the individual is seventy-five (75) years of age or older at  
 19 the time of the application for renewal, the individual must  
 20 provide proof, on a form approved by the bureau, that the  
 21 individual has passed an eyesight examination within thirty (30)  
 22 days prior to the renewal application.  
 23 (c) An individual applying for the renewal of a driver's license  
 24 **issued in the form of a physical credential** (issued under IC 9-24-3),  
 25 a chauffeur's license or a public passenger chauffeur's license, or a  
 26 learner's permit issued **in the form of a physical credential** under  
 27 IC 9-24-7, including any endorsements in effect with respect to the  
 28 license, must apply in person at a license branch under subsection (a)  
 29 if the individual is not entitled to apply by mail or by electronic service  
 30 under subsection (b).  
 31 (d) The bureau may not issue or renew a chauffeur's or a public  
 32 passenger chauffeur's license after December 31, 2016. If a holder of  
 33 a chauffeur's or a public passenger chauffeur's license applies after  
 34 December 31, 2016, for renewal of the chauffeur's or public passenger  
 35 chauffeur's license, the bureau shall issue to the holder a driver's  
 36 license under IC 9-24-3 with a for-hire endorsement if the holder:  
 37 (1) applies in a form and manner prescribed by the bureau; and  
 38 (2) satisfies the requirements for renewal of a driver's license  
 39 issued under IC 9-24-3, including the fee and examination  
 40 requirements under this section.  
 41 (e) An individual applying for the renewal of a driver's license  
 42 issued **in the form of a physical credential** under IC 9-24-3 shall pay



- 1 the following applicable fee:
- 2 (1) If the individual is less than seventy-five (75) years of age,
- 3 seventeen dollars and fifty cents (\$17.50). The fee shall be
- 4 distributed as follows:
- 5 (A) Fifty cents (\$0.50) to the state motor vehicle technology
- 6 fund.
- 7 (B) Two dollars (\$2) to the crossroads 2000 fund.
- 8 (C) Four dollars and fifty cents (\$4.50) to the motor vehicle
- 9 highway account.
- 10 (D) One dollar and twenty-five cents (\$1.25) to the integrated
- 11 public safety communications fund.
- 12 (E) Nine dollars and twenty-five cents (\$9.25) to the
- 13 commission fund.
- 14 (2) If the individual is at least seventy-five (75) years of age and
- 15 less than eighty-five (85) years of age, eleven dollars (\$11). The
- 16 fee shall be distributed as follows:
- 17 (A) Fifty cents (\$0.50) to the state motor vehicle technology
- 18 fund.
- 19 (B) One dollar and fifty cents (\$1.50) to the crossroads 2000
- 20 fund.
- 21 (C) Three dollars (\$3) to the motor vehicle highway account.
- 22 (D) One dollar and twenty-five cents (\$1.25) to the integrated
- 23 public safety communications fund.
- 24 (E) Four dollars and seventy-five cents (\$4.75) to the
- 25 commission fund.
- 26 (3) If the individual is at least eighty-five (85) years of age, seven
- 27 dollars (\$7). The fee shall be distributed as follows:
- 28 (A) Fifty cents (\$0.50) to the state motor vehicle technology
- 29 fund.
- 30 (B) One dollar (\$1) to the crossroads 2000 fund.
- 31 (C) Two dollars (\$2) to the motor vehicle highway account.
- 32 (D) One dollar and twenty-five cents (\$1.25) to the integrated
- 33 public safety communications fund.
- 34 (E) Two dollars and twenty-five cents (\$2.25) to the
- 35 commission fund.
- 36 A fee paid under this subsection after December 31, 2016, includes the
- 37 renewal of any endorsements that are in effect with respect to the
- 38 driver's license issued **in the form of a physical credential** under
- 39 IC 9-24-3 at the time of renewal.
- 40 SECTION 45. IC 9-24-12-11, AS AMENDED BY P.L.198-2016,
- 41 SECTION 497, IS AMENDED TO READ AS FOLLOWS
- 42 [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) This section applies to



1 a driver's license other than a commercial driver's license.

2 (b) If the birthday of a holder on which the holder's driver's license  
3 would otherwise expire falls on:

4 (1) Sunday;

5 (2) a legal holiday (as set forth in IC 1-1-9-1); or

6 (3) a weekday when all license branches in the county of  
7 residence of the holder are closed;

8 the driver's license of the holder does not expire until midnight of the  
9 first day after the birthday on which a license branch is open for  
10 business in the county of residence of the holder.

11 (c) A driver's license issued to an applicant who complies with  
12 ~~IC 9-24-9-2.5(5) through IC 9-24-9-2.5(10)~~ **IC 9-24-9-2.5** or who is  
13 **granted parole as defined in IC 9-13-2-121.5** expires:

14 (1) at midnight one (1) year after issuance if there is no expiration  
15 date on the authorization granted to the individual to remain in the  
16 United States; or

17 (2) if there is an expiration date on the authorization granted to  
18 the individual to remain in the United States, the earlier of the  
19 following:

20 (A) At midnight of the date the authorization of the holder to  
21 ~~be a legal~~ **have lawful status as a** permanent resident or  
22 conditional resident alien of the United States expires.

23 (B) At midnight of the birthday of the holder that occurs six  
24 (6) years after the date of issuance.

25 SECTION 46. IC 9-24-13-3, AS AMENDED BY P.L.120-2020,  
26 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2023]: Sec. 3. (a) An individual holding a permit or driver's  
28 license issued **in the form of a physical credential** under this article  
29 must have the permit or driver's license **in the form of the physical**  
30 **credential** in the individual's immediate possession when driving or  
31 operating a motor vehicle. The individual shall display the driver's  
32 license or permit **in the form of a physical credential** upon demand  
33 of a court or a police officer authorized by law to enforce motor vehicle  
34 rules.

35 (b) If the permit or driver's license is a mobile credential, ~~viewed on~~  
36 ~~a telecommunications device~~; a court or a police officer authorized by  
37 law to enforce motor vehicle rules may not, without the consent of the  
38 person:

39 (1) confiscate a telecommunications device for the purpose of  
40 determining compliance with this section;

41 (2) confiscate a telecommunications device and retain it as  
42 evidence pending trial for a violation of this section; or





1 (3) extract or otherwise download information from a  
2 telecommunications device for a violation of this section unless:

3 (A) the court or police officer has probable cause to believe  
4 the telecommunications device has been used in the  
5 commission of a crime;

6 (B) the information is extracted or otherwise downloaded  
7 under a valid search warrant; or

8 (C) otherwise authorized by law.

9 (c) The ~~display of transmission of data from~~ a mobile credential  
10 shall not serve as consent or authorization for the court, a police  
11 officer, or any other person to search, view, or access any data or  
12 application on the telecommunications device other than the mobile  
13 credential. If a person presents the person's telecommunications device  
14 to the court, a police officer, or any other person for the purposes of  
15 ~~displaying sharing data from~~ the person's mobile credential, the court,  
16 police officer, or person ~~viewing receiving the data from~~ the mobile  
17 credential shall not handle the telecommunications device in order to  
18 view the mobile credential and to verify the identity of the person.

19 (d) ~~Notwithstanding the July 1, 2021, effective date in HEA~~  
20 ~~1506-2019, SECTION 53 (P.L.178-2019), this section takes effect July~~  
21 ~~1, 2020 (rather than July 1, 2021):~~

22 SECTION 47. IC 9-24-13-4, AS AMENDED BY P.L.256-2017,  
23 SECTION 175, IS AMENDED TO READ AS FOLLOWS  
24 [EFFECTIVE JULY 1, 2023]: Sec. 4. If:

- 25 (1) an individual holding a driver's license or permit issued **in the**  
26 **form of a physical credential** under this article changes the  
27 address shown on the driver's license or permit application; or  
28 (2) the name of a licensee or permittee is changed by marriage or  
29 otherwise;

30 the licensee or permittee shall make application for an amended  
31 driver's license or permit **issued in the form of a physical credential**  
32 under IC 9-24-9 containing the correct information within thirty (30)  
33 days of the change. For fee purposes, the application shall be treated as  
34 a replacement license under IC 9-24-14-1.

35 SECTION 48. IC 9-24-14-1, AS AMENDED BY P.L.256-2017,  
36 SECTION 176, IS AMENDED TO READ AS FOLLOWS  
37 [EFFECTIVE JULY 1, 2023]: Sec. 1. If a permit or driver's license  
38 issued **in the form of a physical credential** under this article is lost or  
39 destroyed, and as provided in section 3.5 of this chapter, the individual  
40 to whom the permit or driver's license was issued may obtain a  
41 replacement if the individual pays a fee as follows:

- 42 (1) For a replacement permit or driver's license, other than a



1 commercial driver's license, issued before January 1, 2017, ten  
 2 dollars and fifty cents (\$10.50). The fee shall be distributed as  
 3 follows:

4 (A) Fifty cents (\$0.50) to the state motor vehicle technology  
 5 fund.

6 (B) One dollar and fifty cents (\$1.50) to the crossroads 2000  
 7 fund.

8 (C) One dollar and fifty cents (\$1.50) to the motor vehicle  
 9 highway account.

10 (D) One dollar and twenty-five cents (\$1.25) to the integrated  
 11 public safety communications fund.

12 (E) Five dollars and seventy-five cents (\$5.75) to the  
 13 commission fund.

14 (2) For a replacement commercial driver's license issued before  
 15 January 1, 2017, five dollars and fifty cents (\$5.50). The fee shall  
 16 be distributed as follows:

17 (A) Fifty cents (\$0.50) to the state motor vehicle technology  
 18 fund.

19 (B) One dollar (\$1) to the crossroads 2000 fund.

20 (C) One dollar and fifty cents (\$1.50) to the motor vehicle  
 21 highway account.

22 (D) Two dollars and fifty cents (\$2.50) to the commission  
 23 fund.

24 (3) For a replacement permit or driver's license issued after  
 25 December 31, 2016, nine dollars (\$9). The fee shall be distributed  
 26 as follows:

27 (A) Twenty-five cents (\$0.25) to the motor vehicle highway  
 28 account.

29 (B) Fifty cents (\$0.50) to the state motor vehicle technology  
 30 fund.

31 (C) One dollar and twenty-five cents (\$1.25) to the integrated  
 32 public safety communications fund.

33 (D) Two dollars (\$2) to the crossroads 2000 fund.

34 (E) Five dollars (\$5) to the commission fund.

35 SECTION 49. IC 9-24-14-3.5, AS AMENDED BY P.L.118-2022,  
 36 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2023]: Sec. 3.5. (a) If a valid computerized image or digital  
 38 photograph of an individual exists within the records of the bureau, an  
 39 individual may apply for a replacement driver's license or learner's  
 40 permit **issued in the form of a physical credential** by electronic  
 41 service.

42 (b) An individual applying for a replacement of a driver's license or



1 a learner's permit **issued in the form of a physical credential** must  
 2 apply in person at a license branch if the individual is not entitled to  
 3 apply by mail or by electronic service under subsection (a).

4 SECTION 50. IC 9-24-16-1, AS AMENDED BY P.L.198-2016,  
 5 SECTION 508, IS AMENDED TO READ AS FOLLOWS  
 6 [EFFECTIVE UPON PASSAGE]: Sec. 1. The bureau shall issue an  
 7 identification card **in the form of a physical credential** to an  
 8 individual who meets the following conditions:

9 (1) Makes an application.

10 (2) Is an Indiana resident.

11 (3) Has presented valid documentary evidence to the bureau of  
 12 the individual's ~~legal~~ **lawful** status in the United States **or valid**  
 13 **documentary evidence that the individual is granted parole as**  
 14 **defined in IC 9-13-2-121.5**, as required by section 3.5 of this  
 15 chapter.

16 SECTION 51. IC 9-24-16-2, AS AMENDED BY P.L.111-2021,  
 17 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 UPON PASSAGE]: Sec. 2. (a) An application for an identification card  
 19 to be issued under this chapter **in the form of a physical credential**  
 20 must contain the following questions:

21 (1) "Have you served in the armed forces of the United States?".

22 (2) "Are you the surviving spouse of someone who served in the  
 23 armed forces of the United States or their reserves, in the National  
 24 Guard, or in the Indiana National Guard?".

25 (b) In addition to the questions set forth in subsection (a), an  
 26 application for an identification card issued under this chapter **in the**  
 27 **form of a physical credential** must require the following information  
 28 concerning an applicant:

29 (1) The full legal name of the applicant.

30 (2) The applicant's date of birth.

31 (3) The gender of the applicant.

32 (4) The applicant's height, weight, hair color, and eye color.

33 (5) The principal address and mailing address of the applicant.

34 (6) A:

35 (A) valid Social Security number; or

36 (B) verification of an applicant's:

37 (i) ineligibility to be issued a Social Security number; ~~and~~

38 (ii) ~~identity and lawful status:~~ **identity; and**

39 **(iii) lawful status, except for an individual granted parole**  
 40 **as defined in IC 9-13-2-121.5.**

41 (7) A digital photograph of the applicant.

42 (8) The signature of the applicant showing the applicant's legal



- 1 name as it will appear on the identification card **issued in the**  
 2 **form of a physical credential.**
- 3 (9) If the applicant is also applying for a motor driven cycle  
 4 endorsement, verification that the applicant has satisfactorily  
 5 completed the test required under section 3.6 of this chapter.
- 6 (c) The bureau may invalidate an identification card **issued in the**  
 7 **form of a physical credential** that the bureau believes to have been  
 8 issued as a result of fraudulent documentation.
- 9 (d) The bureau:
- 10 (1) shall adopt rules under IC 4-22-2 to establish a procedure to  
 11 verify an applicant's identity and lawful status; and
- 12 (2) may adopt rules to establish a procedure to temporarily  
 13 invalidate an identification card **issued in the form of a physical**  
 14 **credential** that it believes to have been issued based on  
 15 fraudulent documentation.
- 16 (e) For purposes of subsection (b), an individual certified as a  
 17 program participant in the address confidentiality program under  
 18 IC 5-26.5 is not required to provide the individual's principal address  
 19 and mailing address, but may provide an address designated by the  
 20 office of the attorney general under IC 5-26.5 as the individual's  
 21 principal address and mailing address.
- 22 (f) In addition to the information required under subsection (b), a  
 23 application for an identification card to be issued under this chapter **in**  
 24 **the form of a physical credential** must enable the applicant to  
 25 indicate that the applicant is a veteran and wishes to have an indication  
 26 of the applicant's veteran status appear on the identification card **issued**  
 27 **in the form of a physical credential**. An applicant who wishes to have  
 28 an indication of the applicant's veteran status appear on the  
 29 identification card **issued in the form of a physical credential** must:
- 30 (1) indicate on the application that the applicant:
- 31 (A) is a veteran; and
- 32 (B) wishes to have an indication of the applicant's veteran  
 33 status appear on the identification card; and
- 34 (2) provide proof at the time of application of the applicant's  
 35 veteran status.
- 36 (g) In addition to the information required under subsection (b), an  
 37 application for an identification card to be issued under this chapter **in**  
 38 **the form of a physical credential** must enable the applicant to  
 39 indicate that the applicant is a surviving spouse of a veteran and wishes  
 40 to have an indication of the applicant's status as a surviving spouse of  
 41 a veteran appear on the identification card **issued in the form of a**  
 42 **physical credential**. An applicant who wishes to have an indication of



1 the applicant's status as a surviving spouse of a veteran appear on the  
2 identification card **issued in the form of a physical credential** must:

3 (1) indicate on the application that the applicant:

4 (A) is the surviving spouse of a veteran of the armed forces of  
5 the United States; and

6 (B) wishes to have an indication of the applicant's status as a  
7 surviving spouse of a veteran appear on the identification card  
8 **issued in the form of a physical credential**; and

9 (2) provide the documentation necessary to verify that the  
10 applicant was married, at the time of the decedent's death, to a  
11 veteran.

12 (h) The bureau shall keep in a data base and share the information  
13 submitted under subsections (a) and (g) at least annually with the  
14 Indiana department of veterans' affairs. The information submitted  
15 under subsections (a) and (g) may be used by the Indiana department  
16 of veterans' affairs to develop outreach programs for veterans and their  
17 families.

18 (i) The application for an identification card to be issued under this  
19 chapter **in the form of a physical credential** must indicate that an  
20 applicant has the option whether or not to answer the questions set  
21 forth in subsection (a).

22 SECTION 52. IC 9-24-16-3, AS AMENDED BY P.L.111-2021,  
23 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 UPON PASSAGE]: Sec. 3. (a) An identification card:

25 (1) **issued in physical the form of a physical credential** must  
26 have the same dimensions and shape as a driver's license; and

27 (2) in the form of a mobile credential must ~~have the same format~~  
28 **as contain the same data contained in** a driver's license;

29 but the card must have markings sufficient to distinguish the card from  
30 a driver's license.

31 (b) Except as provided in subsection (g), the front side of a ~~physical~~  
32 **an identification card or the top portion of an identification card in the**  
33 **format of a mobile credential issued in the form of a physical**  
34 **credential** must contain the expiration date of the identification card  
35 and the following information about the individual to whom the card  
36 is being issued:

37 (1) Full legal name.

38 (2) The address of the principal residence.

39 (3) Date of birth.

40 (4) Date of issue and date of expiration.

41 (5) Unique identification number.

42 (6) Gender.



- 1 (7) Weight.  
 2 (8) Height.  
 3 (9) Color of eyes and hair.  
 4 (10) Reproduction of the signature of the individual identified.  
 5 (11) Whether the individual is blind (as defined in  
 6 IC 12-7-2-21(1)).  
 7 (12) If the individual is less than eighteen (18) years of age at the  
 8 time of issuance, the dates on which the individual will become:  
 9 (A) eighteen (18) years of age; and  
 10 (B) twenty-one (21) years of age.  
 11 (13) If the individual is at least eighteen (18) years of age but less  
 12 than twenty-one (21) years of age at the time of issuance, the date  
 13 on which the individual will become twenty-one (21) years of age.  
 14 (14) Digital photograph of the individual.  
 15 (c) The information contained on the identification card as required  
 16 by subsection (b)(12) or (b)(13) for an individual who is less than  
 17 twenty-one (21) years of age at the time of issuance shall be notated  
 18 prominently on the identification card **issued in the form of a physical**  
 19 **credential.**  
 20 (d) If the individual complies with section 2(f) or 2(g) of this  
 21 chapter, an indication of the individual's veteran status or status as the  
 22 surviving spouse of a veteran of the armed forces of the United States,  
 23 as applicable, shall be shown on the identification card **issued in the**  
 24 **form of a physical credential.**  
 25 (e) If the applicant for an identification card **issued in the form of**  
 26 **a physical credential** submits information to the bureau concerning  
 27 the applicant's medical condition, the bureau shall place an identifying  
 28 symbol on the face of the identification card **issued in the form of a**  
 29 **physical credential** to indicate that the applicant has a medical  
 30 condition of note. The bureau shall include information on the  
 31 identification card **issued in the form of a physical credential** that  
 32 briefly describes the medical condition of the holder of the card **issued**  
 33 **in the form of a physical credential.** The information must be printed  
 34 in a manner that alerts a person reading the card **issued in the form of**  
 35 **a physical credential** to the existence of the medical condition. The  
 36 applicant for an identification card **issued in the form of a physical**  
 37 **credential** is responsible for the accuracy of the information  
 38 concerning the medical condition submitted under this subsection. The  
 39 bureau shall inform an applicant that submission of information under  
 40 this subsection is voluntary.  
 41 (f) An identification card issued by the state ~~to an individual who in~~  
 42 **the form of a physical credential must be clearly identified as a**



1 **temporary identification card if the applicant provides proof of**  
 2 **lawful status or proof that the applicant has been granted parole**  
 3 **as defined in IC 9-13-2-121.5 through any of the following:**

4 (1) ~~has~~ A valid, unexpired nonimmigrant visa or has  
 5 nonimmigrant visa status for entry in the United States.

6 (2) ~~has~~ A pending application for asylum in the United States.

7 (3) ~~has~~ A pending or approved application for temporary  
 8 protected status in the United States.

9 (4) ~~has~~ Approved deferred action status. ~~or~~

10 (5) ~~has~~ A pending application for adjustment of status to that of  
 11 an alien lawfully admitted for permanent residence in the United  
 12 States or conditional permanent residence status in the United  
 13 States.

14 **(6) Granted parole as defined in IC 9-13-2-121.5.**

15 ~~must be clearly identified as a temporary identification card. A~~  
 16 ~~temporary identification card issued under this subsection~~ **in the form**  
 17 **of a physical credential** may not be renewed without the presentation  
 18 of valid documentary evidence proving that the holder of the  
 19 identification card's temporary status has been extended.

20 (g) For purposes of subsection (b), an individual certified as a  
 21 program participant in the address confidentiality program under  
 22 IC 5-26.5 is not required to provide the address of the individual's  
 23 principal residence, but may provide an address designated by the  
 24 office of the attorney general under IC 5-26.5 as the address of the  
 25 individual's principal residence.

26 (h) The bureau shall validate an identification card **issued in the**  
 27 **form of a physical credential** for motor driven cycle operation upon  
 28 a highway by endorsement to an individual who:

29 (1) applies for or has previously been issued an identification card  
 30 under this chapter;

31 (2) makes the appropriate application for endorsement; and

32 (3) satisfactorily completes the test required under section 3.6 of  
 33 this chapter.

34 The bureau shall place a designation on the face of the identification  
 35 card **issued in the form of a physical credential** to indicate that the  
 36 individual has received a motor driven cycle endorsement.

37 SECTION 53. IC 9-24-16-3.5, AS AMENDED BY P.L.162-2009,  
 38 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 UPON PASSAGE]: Sec. 3.5. In addition to the information required for  
 40 the applicant for an identification card under section 3 of this chapter,  
 41 the bureau shall require an applicant to present to the bureau:

42 (1) valid documentary evidence that the applicant **has:**



- 1 (A) is a citizen or national of the United States; **lawful status;**
- 2 ~~(B) is an alien lawfully admitted for permanent residence in~~
- 3 ~~the United States;~~
- 4 ~~(C) has conditional permanent resident status in the United~~
- 5 ~~States;~~
- 6 ~~(D) has an approved application for asylum in the United~~
- 7 ~~States or has entered into the United States in refugee status;~~
- 8 ~~(E) is an alien lawfully admitted for temporary residence in the~~
- 9 ~~United States;~~
- 10 ~~(F) has a valid unexpired nonimmigrant visa or nonimmigrant~~
- 11 ~~visa status for entry into the United States;~~
- 12 ~~(G) has a pending application for asylum in the United States;~~
- 13 ~~(H) has a pending or approved application for temporary~~
- 14 ~~protected status in the United States;~~
- 15 ~~(I) has approved deferred action status; or~~
- 16 ~~(J) (B) has a pending application for adjustment of status to~~
- 17 ~~that of an alien lawfully admitted for permanent residence in~~
- 18 ~~the United States or conditional permanent resident status in~~
- 19 ~~the United States; and or~~

20 **(C) been granted parole as defined in IC 9-13-2-121.5; and**  
 21 (2) evidence of the Social Security number of the applicant. If  
 22 federal law prohibits the issuance of a Social Security number to  
 23 the applicant, the applicant must provide verification of the  
 24 applicant's ineligibility to be issued a Social Security number.

25 SECTION 54. IC 9-24-16-4, AS AMENDED BY P.L.125-2012,  
 26 SECTION 228, IS AMENDED TO READ AS FOLLOWS  
 27 [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) Except as provided in  
 28 subsection (b), an identification card expires at midnight of the  
 29 birthday of the holder that occurs six (6) years following the date of  
 30 issuance.

31 (b) An identification card issued under this article to an applicant  
 32 who complies with section ~~3.5(1)(E) through 3.5(1)(J)~~ **3.5** of this  
 33 chapter expires:

- 34 (1) at midnight one (1) year after issuance, if there is no
- 35 expiration date on the authorization granted to the individual to
- 36 remain in the United States; or
- 37 (2) if there is an expiration date on the authorization granted to
- 38 the individual to remain in the United States, the earlier of the
- 39 following:

- 40 (A) At midnight of the date the authorization of the holder to
- 41 ~~be a legal~~ **have lawful status as a** permanent resident or
- 42 conditional resident alien of the United States expires.





1 (B) At midnight of the birthday of the holder that occurs six  
 2 (6) years after the date of issuance.  
 3 SECTION 55. IC 9-24-16-4.5, AS AMENDED BY P.L.111-2021,  
 4 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 2023]: Sec. 4.5. (a) The bureau may adopt rules under  
 6 IC 4-22-2 concerning the ability of an individual to renew an  
 7 identification card **issued in the form of a physical credential** under  
 8 section 5 of this chapter, apply for a replacement identification card  
 9 **issued in the form of a physical credential** under section 9 of this  
 10 chapter, or apply for a replacement identification card **issued in the**  
 11 **form of a physical credential** under section 6 of this chapter by  
 12 electronic service. If rules are adopted under this subsection, the rules  
 13 must provide that an individual's renewal, amendment, or replacement  
 14 of an identification card **issued in the form of a physical credential**  
 15 by electronic service is subject to the following conditions:  
 16 (1) A valid computerized image or digital photograph of the  
 17 individual must exist within the records of the bureau.  
 18 (2) The individual must be a citizen of the United States, as  
 19 shown in the records of the bureau.  
 20 (3) There must not have been any change in the:  
 21 (A) legal address; or  
 22 (B) name;  
 23 of the individual since the issuance or previous renewal of the  
 24 identification card **issued in the form of a physical credential** of  
 25 the individual.  
 26 (4) The identification card **issued in the form of a physical**  
 27 **credential** of the individual must not be expired more than one  
 28 hundred eighty (180) days at the time of the application for  
 29 renewal.  
 30 (b) An individual applying for:  
 31 (1) the renewal of an identification card; or  
 32 (2) a replacement identification card;  
 33 must apply in person if the individual is not entitled to apply by mail or  
 34 by electronic service under subsection (a).  
 35 SECTION 56. IC 9-24-16-5, AS AMENDED BY P.L.147-2018,  
 36 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2023]: Sec. 5. (a) An application for renewal of an  
 38 identification card **issued in the form of a physical credential** may be  
 39 made not more than twenty-four (24) months before the expiration date  
 40 of the card **issued in the form of a physical credential**. However,  
 41 when the applicant complies with section ~~3.5(1)(E) through 3.5(1)(J)~~  
 42 **3.5** of this chapter, an application for renewal of an identification card



1 **issued in the form of a physical credential** may be filed not more  
 2 than one (1) month before the expiration date of the identification card  
 3 **issued in the form of a physical credential** held by the applicant.

4 (b) Except as provided in subsection (d), a renewed card **issued in**  
 5 **the form of a physical credential** is valid on the birth date of the  
 6 holder and remains valid for six (6) years.

7 (c) Renewal may not be granted if the cardholder was issued a  
 8 driver's license **issued in the form of a physical credential** subsequent  
 9 to the last issuance of an identification card **issued in the form of a**  
 10 **physical credential**.

11 (d) A renewed identification card issued under this article **in the**  
 12 **form of a physical credential** to an applicant who complies with  
 13 section ~~3.5(1)(E) through 3.5(1)(J)~~ **3.5** of this chapter expires:

14 (1) at midnight one (1) year after issuance, if there is no  
 15 expiration date on the authorization granted to the individual to  
 16 remain in the United States; or

17 (2) if there is an expiration date on the authorization granted to  
 18 the individual to remain in the United States, the earlier of the  
 19 following:

20 (A) At midnight of the date the authorization of the holder to  
 21 ~~be a legal~~ **have lawful status as a** permanent resident or  
 22 conditional resident alien of the United States expires.

23 (B) At midnight of the birthday of the holder that occurs six  
 24 (6) years after the date of issuance.

25 SECTION 57. IC 9-24-16-15, AS ADDED BY P.L.111-2021,  
 26 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2023]: Sec. 15. (a) The bureau may impose an additional fee  
 28 of twenty-five dollars (\$25) if the bureau processes ~~a credential an~~  
 29 **application for a physical credential** under this chapter in a period of  
 30 time that is shorter than the normal processing period. The bureau shall  
 31 deposit the fee in the commission fund.

32 (b) A fee imposed under this section is in addition to any other fee  
 33 imposed under this chapter.

34 SECTION 58. IC 9-24-16.5-15, AS ADDED BY P.L.111-2021,  
 35 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2023]: Sec. 15. (a) The bureau may impose an additional fee  
 37 of twenty-five dollars (\$25) if the bureau processes ~~a credential an~~  
 38 **application for a physical credential** under this chapter in a period of  
 39 time that is shorter than the normal processing period. The bureau shall  
 40 deposit the fee in the commission fund.

41 (b) A fee imposed under this section is in addition to any other fee  
 42 imposed under this chapter.



1 SECTION 59. IC 9-24-17-1, AS AMENDED BY P.L.198-2016,  
 2 SECTION 519, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2023]: Sec. 1. The application form for a  
 4 **physical** credential must allow an applicant to acknowledge the making  
 5 of an anatomical gift under IC 29-2-16.1-4.

6 SECTION 60. IC 9-24-17-2, AS AMENDED BY P.L.198-2016,  
 7 SECTION 520, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) The bureau shall inquire of  
 9 every individual who applies for a **physical** credential whether the  
 10 individual desires to make an anatomical gift.

11 (b) If the individual does desire to make an anatomical gift, the  
 12 bureau shall provide the individual the form by which the individual  
 13 makes the gift.

14 SECTION 61. IC 9-24-17-8, AS AMENDED BY P.L.198-2016,  
 15 SECTION 524, IS AMENDED TO READ AS FOLLOWS  
 16 [EFFECTIVE JULY 1, 2023]: Sec. 8. (a) Each anatomical gift made  
 17 under this chapter must be made by the donor by acknowledging the  
 18 making of the anatomical gift by signing the application form for ~~the~~  
 19 **a physical** credential under section 1 of this chapter. If the donor  
 20 cannot sign, the application form may be signed for the donor:

21 (1) at the donor's direction and in the donor's presence; and

22 (2) in the presence of two (2) witnesses who must sign the  
 23 document in the donor's and each other's presence.

24 (b) The bureau shall place an identifying symbol on the face of the  
 25 **physical** credential to indicate that the person to whom the **physical**  
 26 credential is issued has acknowledged the making of an anatomical gift  
 27 on the application form for the **physical** credential as set forth in  
 28 subsection (a).

29 (c) Revocation, suspension, cancellation, or expiration of the  
 30 **physical** credential does not invalidate the anatomical gift.

31 (d) An anatomical gift is valid if the individual acknowledges the  
 32 making of the anatomical gift by signing the application form for a  
 33 **physical** credential under subsection (a). No other acknowledgment is  
 34 required to make an anatomical gift.

35 SECTION 62. IC 9-24-17.5-1, AS AMENDED BY P.L.120-2020,  
 36 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2023]: Sec. 1. (a) The bureau may develop a secure and  
 38 uniform system to issue mobile credentials that can be accessed  
 39 **electronically** through an application on a telecommunications device.

40 (b) ~~Notwithstanding the July 1, 2021, effective date in HEA~~  
 41 ~~1506-2019; SECTION 55 (P.L.178-2019); this section takes effect July~~  
 42 ~~1, 2020 (rather than July 1, 2021).~~



1           **(b) The form of a mobile credential issued by the bureau under**  
 2 **this chapter must comply with:**

3           **(1) the standards for implementation of mobile driving**  
 4 **licenses set by the International Organization for**  
 5 **Standardization and the International Electrotechnical**  
 6 **Commission; and**

7           **(2) the Mobile Driver's License Implementation Guidelines**  
 8 **established by the American Association of Motor Vehicle**  
 9 **Administrators.**

10           SECTION 63. IC 9-24-17.5-2, AS AMENDED BY P.L.120-2020,  
 11 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2023]: Sec. 2. (a) In addition to a physical credential issued  
 13 under this article, upon request by an applicant, the bureau may issue  
 14 a mobile credential to an individual who satisfies the requirements for  
 15 application under this article for the following:

16           (1) A driver's license.

17           (2) A learner's permit.

18           (3) An identification card.

19           (b) The bureau ~~shall~~ **may** not issue a mobile credential for:

20           (1) a commercial driver's license issued under IC 9-24-6.1;

21           (2) a commercial learner's permit issued under IC 9-24-6.1; ~~or~~

22           **(3) a motorcycle learner's permit issued under IC 9-24-8-3;**

23           **(4) a photo exempt driver's license issued under**  
 24 **IC 9-24-11-5(b); or**

25           ~~(5)~~ **(5) a photo exempt identification card issued under**  
 26 **IC 9-24-16.5.**

27           ~~(c) Notwithstanding the July 1, 2021, effective date in HEA~~  
 28 ~~1506-2019, SECTION 55 (P.L.178-2019), this section takes effect July~~  
 29 ~~1, 2020 (rather than July 1, 2021).~~

30           SECTION 64. IC 9-24-17.7-1, AS ADDED BY P.L.111-2021,  
 31 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2023]: Sec. 1. The bureau shall not request information  
 33 regarding an individual's vaccination status or proof of immunity when  
 34 an individual applies for a **physical credential or a mobile credential**  
 35 under this article.

36           SECTION 65. IC 9-24-17.7-2, AS ADDED BY P.L.111-2021,  
 37 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2023]: Sec. 2. The bureau shall not collect, keep in a data  
 39 base, place an indication on a **physical credential or a mobile**  
 40 **credential**, or share information regarding an individual's vaccination  
 41 status or proof of immunity.

42           SECTION 66. IC 9-26-2-5, AS AMENDED BY P.L.178-2019,



1 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2023]: Sec. 5. (a) As used in this section, "emergency contact  
3 data base" means the Indiana emergency contact data base described  
4 in IC 9-26-10-1.

5 (b) As used in this section, "emergency contact person" means an  
6 individual who is listed in the emergency contact data base, including  
7 only individuals who are at least eighteen (18) years of age.

8 (c) As used in this section, "qualifying motor vehicle accident"  
9 means a motor vehicle accident involving:

- 10 (1) death; or  
11 (2) serious bodily injury.

12 (d) As used in this section, "serious bodily injury" has the meaning  
13 set forth in IC 35-31.5-2-292.

14 (e) A law enforcement officer, upon arriving at the scene of a  
15 qualifying motor vehicle accident, shall access the emergency contact  
16 data base and attempt to contact the emergency contact persons listed  
17 for a corresponding credential holder unable to communicate due to  
18 death or serious bodily injury. If contact with an emergency contact  
19 person is made, the law enforcement officer shall inform the  
20 emergency contact person that the credential holder has been involved  
21 in a qualifying motor vehicle accident.

22 (f) A law enforcement officer shall attempt to contact a ~~credential~~  
23 ~~holder's the~~ emergency contact persons **of the holder of a physical**  
24 **credential** within a reasonable amount of time after learning of or  
25 responding to a qualifying motor vehicle accident.

26 (g) A law enforcement officer's good faith attempt to contact a ~~a~~  
27 ~~credential holder's the~~ emergency contact persons **of the holder of a**  
28 **physical credential** as described in subsection (f) immunizes the law  
29 enforcement officer from civil liability and all associated damages,  
30 including punitive damages, related to the law enforcement officer's  
31 inability to make:

- 32 (1) any contact with a ~~credential holder's the~~ emergency contact  
33 persons **of the holder of a physical credential**; or  
34 (2) contact with a ~~credential holder's the~~ emergency contact  
35 persons **of the holder of a physical credential** within a  
36 reasonable amount of time after arriving at the scene of a  
37 qualifying motor vehicle accident.

38 (h) If a law enforcement officer is not liable for an act or omission  
39 under this section, no other person incurs liability by reason of an  
40 agency relationship with the law enforcement officer.

41 (i) A law enforcement officer may not be:

- 42 (1) found liable; or



1 (2) subject to damages;  
 2 for any inaccuracy or omission related to the information contained in  
 3 the emergency contact data base.

4 (j) The duty imposed on a law enforcement officer by this section  
 5 shall be performed in addition to any other duty required by this  
 6 chapter.

7 (k) A law enforcement agency may establish and implement  
 8 protocols necessary to meet the law enforcement agency's obligations  
 9 under this section.

10 (l) A law enforcement agency is exempt from this chapter before the  
 11 creation of the emergency contact data base by the bureau.

12 SECTION 67. IC 9-26-10-1, AS AMENDED BY P.L.11-2019,  
 13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2023]: Sec. 1. (a) The bureau shall create and maintain the  
 15 Indiana emergency contact data base. The purpose of the emergency  
 16 contact data base is to provide law enforcement officers and coroners  
 17 with the means to contact emergency contact persons in the event of a  
 18 motor vehicle accident that renders ~~a credential~~ **the holder of a**  
 19 **physical credential or a mobile credential** unable to communicate  
 20 due to death or serious bodily injury.

21 (b) The emergency contact data base must consist of contact  
 22 information for not more than two (2) emergency contact persons per  
 23 ~~credential~~ **holder of a physical credential or a mobile credential.**

24 SECTION 68. IC 9-27-6-3, AS AMENDED BY P.L.92-2020,  
 25 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2023]: Sec. 3. (a) As used in this chapter, "driver training  
 27 school" means:

28 (1) a business enterprise that:

29 (A) is conducted by an individual, an association, a  
 30 partnership, a limited liability company, or a corporation for  
 31 the education and training of persons, practically or  
 32 theoretically, or both, to operate or drive motor vehicles or to  
 33 prepare an applicant for an examination or validation under  
 34 IC 9-24 for a driver's license; and

35 (B) charges consideration or tuition for the provision of  
 36 services; or

37 (2) a driver education program operated under the authority of:

38 (A) a school corporation (as defined in IC 36-1-2-17);

39 (B) a state accredited nonpublic secondary school that  
 40 voluntarily becomes accredited under IC 20-31-4.1;

41 (C) a postsecondary proprietary educational institution (as  
 42 defined in IC 22-4.1-21-9);



- 1 (D) a postsecondary credit bearing proprietary educational  
 2 institution (as defined in IC 21-18.5-2-12);  
 3 (E) a state educational institution (as defined in  
 4 IC 21-7-13-32); or  
 5 (F) a nonaccredited nonpublic school.

6 (b) The term does not include a business enterprise that educates or  
 7 trains a person or prepares a person:

- 8 (1) for an examination or a validation given by the bureau to  
 9 operate or drive a motor vehicle as a vocation; or  
 10 (2) to operate a commercial motor vehicle.

11 SECTION 69. IC 9-27-7-8 IS ADDED TO THE INDIANA CODE  
 12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 13 1, 2023]: **Sec. 8. (a) The following are immune from civil liability  
 14 for an act or omission occurring during a motorcycle operator  
 15 safety education course that results in an injury or property  
 16 damage:**

- 17 (1) **The state of Indiana.**  
 18 (2) **A regional training center contracted by the bureau or any  
 19 other site approved by the commissioner to provide  
 20 motorcycle driver education and training courses.**  
 21 (3) **The owner of a site upon which a motorcycle operator  
 22 safety education course is conducted.**  
 23 (4) **An officer, agent, or employee of a person described in  
 24 subdivisions (1) through (3).**

25 (b) **The immunity described in subsection (a) does not apply if  
 26 the person committed gross negligence or willful or wanton  
 27 misconduct.**

28 SECTION 70. IC 9-32-13-7, AS AMENDED BY P.L.245-2019,  
 29 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2019 (RETROACTIVE)]: **Sec. 7. (a) Except as provided in  
 31 subsection (b), it is an unfair practice for a dealer to charge a document  
 32 preparation fee in excess of two hundred dollars (\$200). A document  
 33 preparation fee less than two hundred dollars (\$200) is permitted  
 34 and does not constitute an unfair practice under this section. A  
 35 document preparation fee under this section must be:**

- 36 (1) included in the advertised sale price of a vehicle; and  
 37 (2) affirmatively disclosed:  
 38 (A) in writing by the dealer during negotiations for the sale of  
 39 a vehicle to a potential purchaser that states the dollar amount  
 40 of the document preparation fee to be charged; and  
 41 (B) as a separate line item on the purchaser's bill of sale or  
 42 other purchase contract.



1 (b) A document preparation fee under this section may be adjusted  
 2 annually by a percentage equal to the annual percentage change in the  
 3 Consumer Price Index, as published by the United States Bureau of  
 4 Labor Statistics.

5 SECTION 71. IC 9-33-1-1, AS AMENDED BY P.L.281-2019,  
 6 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2023]: Sec. 1. This article applies to the following:

8 (1) Actions taken under a court order.

9 (2) Actions required under IC 9-24-2-1, IC 9-24-2-2, or  
 10 IC 9-24-2-4.

11 (3) Actions required under IC 9-24-6 (before its repeal on July 1,  
 12 2016).

13 (4) Actions required under IC 9-24-6.5-6(c) (before its repeal on  
 14 July 1, 2016).

15 (5) Actions taken under IC 9-24-6.1.

16 (6) Actions required under IC 9-25.

17 (7) **Except for a hearing requested under IC 9-28-2-9(c),**  
 18 actions taken under IC 9-28.

19 (8) Actions required under IC 9-30.

20 (9) Refunds claimed after June 30, 2016, of fees imposed by the  
 21 bureau.

22 (10) Actions taken under IC 9-22-1-4.

23 SECTION 72. IC 24-5-13.5-5.5 IS ADDED TO THE INDIANA  
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2023]: **Sec. 5.5. As used in this chapter,**  
 26 **"initial resale" means the first time a dealer sells a buyback vehicle**  
 27 **to a buyer after it has been repurchased by a manufacturer under**  
 28 **this chapter or IC 24-5-13.**

29 SECTION 73. IC 24-5-13.5-10 IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 10. **(a) This section**  
 31 **applies to a buyback vehicle only at the time of the initial resale of**  
 32 **the buyback vehicle.**

33 **(b) A buyback motor vehicle may not be resold sold in Indiana**  
 34 **unless the following conditions have been met:**

35 (1) The manufacturer provides the same express warranty the  
 36 manufacturer provided to the original purchaser, except that the  
 37 term of the warranty need only last for twelve thousand (12,000)  
 38 miles or twelve (12) months after the date of resale.

39 (2) The following disclosure language must be conspicuously  
 40 contained in a contract for the ~~sale~~ **initial resale** or lease of a  
 41 buyback vehicle to a consumer or contained in a form affixed to  
 42 the contract:





## "IMPORTANT

This vehicle was previously sold as new. It was subsequently returned to the manufacturer or authorized dealer in exchange for a replacement vehicle or a refund because it did not conform to the manufacturer's express warranty and the nonconformity was not cured within a reasonable time as provided by Indiana law."

(3) The manufacturer provides the dealer a separate document with a written statement identifying the vehicle conditions that formed the basis for the previous owner's or lessee's dissatisfaction and the steps taken to deal with that dissatisfaction in 10-point all capital type.

SECTION 74. IC 24-5-13.5-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. Before ~~reselling the initial resale of~~ a buyback ~~motor~~ vehicle in Indiana, a dealer must provide to the buyer the express warranty required by section ~~10(1)~~ **10(b)(1)** of this chapter and the written statement of disclosure required by section ~~10(3)~~ **10(b)(3)** of this chapter and obtain the buyer's acknowledgment of this disclosure at the time of ~~sale the initial resale~~ or lease as evidenced by the buyer's signature on the statement of disclosure.

SECTION 75. IC 24-5-13.5-12, AS AMENDED BY P.L.27-2018, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. A manufacturer who accepts return of a motor vehicle that is considered a buyback vehicle under this chapter shall do the following:

(1) Before transferring ownership of the buyback vehicle, place the notation "Manufacturer Buyback – Disclosure on File" on the original certificate of title.

(2) Not more than thirty-one (31) days after receipt of the certificate of title, apply to the bureau for a certificate of title in the name of the manufacturer and provide to the bureau a copy of the disclosure document required by section ~~10(3)~~ **10(b)(3)** of this chapter.

SECTION 76. IC 24-5-13.5-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13. (a) **Except as provided in IC 34-30-34-3**, a person who fails to comply with section 10, 11, or 12 of this chapter is liable for the following:

(1) Actual damages or the value of the consideration, at the election of the buyer.

(2) The costs of an action to recover damages and reasonable attorney's fees.

(3) Not more than three (3) times the value of the actual damages



- 1 or the consideration as exemplary damages.
- 2 (4) Other equitable relief, including restitution, as is considered
- 3 proper in addition to damages and costs.
- 4 (b) Actual damages under this section include the following:
- 5 (1) The difference between the actual market value of the vehicle
- 6 at the time of purchase and the contract price of the vehicle.
- 7 (2) Towing, repair, and storage expenses.
- 8 (3) Rental of substitute transportation.
- 9 (4) Food and lodging expenses.
- 10 (5) Lost wages.
- 11 (6) Finance charges.
- 12 (7) Sales or use tax or other governmental fees.
- 13 (8) Lease charges.
- 14 (9) Other incidental and consequential damages.
- 15 (c) Lack of privity is not a bar to an action under this section.
- 16 (d) This subsection does not apply to consent orders or stipulated
- 17 judgments in which there is no admission of liability by the defendant.
- 18 A permanent injunction, final judgment, or final order of the court
- 19 obtained by the attorney general under section 14 of this chapter is
- 20 prima facie evidence in an action brought under this section that the
- 21 defendant has violated section 10, 11, or 12 of this chapter.
- 22 (e) An action to enforce liability under this section may be brought
- 23 within two (2) years from the date of discovery by the buyer.
- 24 SECTION 77. IC 34-30-2.1-107.1 IS ADDED TO THE INDIANA
- 25 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 26 [EFFECTIVE JULY 1, 2023]: **Sec. 107.1. IC 9-27-7-8 (Concerning**
- 27 **acts or omissions that occur during a motorcycle operator safety**
- 28 **education course).**
- 29 SECTION 78. IC 34-30-34 IS ADDED TO THE INDIANA CODE
- 30 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 31 JULY 1, 2023]:
- 32 **Chapter 34. Immunity for a Buyback Vehicle.**
- 33 **Sec. 1. As used in this chapter, "dealer" has the meaning set**
- 34 **forth in IC 9-32-2-9.6.**
- 35 **Sec. 2. As used in this chapter, "buyback vehicle" has the**
- 36 **meaning set forth in IC 24-5-13.5-3.**
- 37 **Sec. 3. (a) A dealer is immune from civil liability in an action**
- 38 **based on a violation of IC 24-5-13.5-10 if the dealer has a**
- 39 **reasonable good faith belief that the vehicle subject to the action**
- 40 **was not a buyback vehicle.**
- 41 **(b) Subsection (a) does not apply to an act of gross negligence or**
- 42 **willful or wrongful misconduct.**



1           SECTION 79. [EFFECTIVE UPON PASSAGE] (a) The bureau of  
2 motor vehicles shall adopt rules under IC 4-22-2, including  
3 emergency rules in the manner provided under IC 4-22-2-37.1,  
4 necessary to implement the issuance and administration of the  
5 following:  
6           (1) Driver's licenses, permits, or identification cards for  
7 individuals granted parole as defined in IC 9-13-2-121.5.  
8           (2) Registrations and certificates of title for motor vehicles of  
9 individuals granted parole as defined in IC 9-13-2-121.5.  
10          (b) This SECTION expires July 1, 2025.  
11 SECTION 80. An emergency is declared for this act.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1050, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 13 with "[EFFECTIVE UPON PASSAGE]".

Replace the effective date in SECTION 20 with "[EFFECTIVE UPON PASSAGE]".

Replace the effective date in SECTION 22 with "[EFFECTIVE UPON PASSAGE]".

Replace the effective dates in SECTIONS 25 through 26 with "[EFFECTIVE UPON PASSAGE]".

Replace the effective date in SECTION 28 with "[EFFECTIVE UPON PASSAGE]".

Replace the effective dates in SECTIONS 33 through 36 with "[EFFECTIVE UPON PASSAGE]".

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-6-2.5-1, AS AMENDED BY P.L.212-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. As used in this chapter, "alternative fuel" means a liquefied petroleum gas, not including a biodiesel fuel or biodiesel blend, used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. The term includes all forms of fuel commonly or commercially known or sold as butane, ~~or~~ propane, **hydrogen, hythane, electricity, or any other fuel used to propel a motor vehicle on a highway that is not subject to the tax imposed under section 28 of this chapter or the tax imposed under IC 6-6-1.1.**

SECTION 2. IC 6-6-4.1-2, AS AMENDED BY P.L.198-2016, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) Except as provided in subsection (b), this chapter applies to each:

- (1) road tractor;
- (2) tractor truck;
- (3) truck having more than two (2) axles;
- (4) truck having a gross weight or a declared gross weight greater than twenty-six thousand (26,000) pounds; ~~and~~
- (5) vehicle used in combination if the gross weight or the declared gross weight of the combination is greater than twenty-six



thousand (26,000) pounds; **and**  
**(6) any other qualified motor vehicle that is subject to the tax reporting requirements of the International Fuel Tax Agreement;**

that is propelled by motor fuel.

(b) This chapter does not apply to the following:

- (1) A vehicle operated by:
  - (A) this state;
  - (B) a political subdivision (as defined in IC 36-1-2-13);
  - (C) the United States; or
  - (D) an agency of states and the United States, or of two (2) or more states, in which this state participates.
- (2) Trucks, trailers, or semitrailers and tractors that are registered as farm trucks, farm trailers, or farm semitrailers and tractors under IC 9-18 (before its expiration), IC 9-18.1-7, or a similar law of another state.
- (3) A bus (as defined in IC 9-13-2-17).
- (4) A vehicle described in subsection (a)(1) through (a)(3) when the vehicle is displaying a dealer registration plate.
- (5) A recreational vehicle.
- (6) A pickup truck that:
  - (A) is modified to include a third free rotating axle;
  - (B) has a gross weight not greater than twenty-six thousand (26,000) pounds; and
  - (C) is operated solely for personal use and not for commercial use.

SECTION 3. IC 6-6-4.1-4, AS AMENDED BY P.L.234-2019, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) A tax is imposed on the consumption of motor fuel by a carrier in its operations on highways in Indiana. The rate of this tax is determined as follows:

- (1) When imposed upon the consumption of special fuel (other than an alternative fuel or a natural gas product), the tax rate is the same rate per gallon as the rate per gallon at which special fuel is taxed under IC 6-6-2.5.
- (2) When imposed upon the consumption of gasoline, the tax rate is the same rate per gallon as the rate per gallon at which gasoline is taxed under IC 6-6-1.1.
- (3) When imposed upon the consumption of a natural gas product or an alternative fuel, the tax rate is either of the following:
  - (A) The same rate per diesel gallon equivalent as the rate per gallon at which special fuel is taxed under IC 6-6-2.5, in the



case of liquid natural gas.

(B) The same rate per gasoline gallon equivalent at which special fuel is taxed under IC 6-6-2.5, in the case of compressed natural gas or an alternative fuel commonly or commercially known or sold as butane or propane.

**(C) The same rate per gallon equivalent at which special fuel is taxed under IC 6-6-2.5 divided by the carrier's average miles per gallon for all vehicles within the carrier's fleet that consume fuels described in subdivision (1) or (2), in the case of an alternative fuel that is not commonly or commercially known or sold as butane or propane.**

The tax shall be paid quarterly by the carrier to the department on or before the last day of the month immediately following the quarter.

(b) **Except for an alternative fuel that is not commonly or commercially known or sold as butane or propane**, the amount of motor fuel consumed by a carrier in its operations on highways in Indiana is the total amount of motor fuel consumed in its entire operations within and without Indiana, multiplied by a fraction. The numerator of the fraction is the total number of miles traveled on highways in Indiana, and the denominator of the fraction is the total number of miles traveled within and without Indiana.

(c) The amount of tax that a carrier shall pay for a particular quarter under this section equals the product of the tax rate in effect for that quarter, multiplied by:

**(1) except as provided in subdivision (2)**, the amount of motor fuel consumed by the carrier in its operation on highways in Indiana and upon which the carrier has not paid tax imposed under IC 6-6-1.1, IC 6-6-2.5, or section 4.5 of this chapter (before its repeal); **or**

**(2) the miles traveled on highways in Indiana for an alternative fuel that is not commonly or commercially known or sold as butane or propane.**

(d) Subject to section 4.8 of this chapter, a carrier is entitled to a proportional use credit against the tax imposed under this section for that portion of motor fuel used to propel equipment mounted on a motor vehicle having a common reservoir for locomotion on the highway and the operation of the equipment, as determined by rule of the commissioner. An application for a proportional use credit under this subsection shall be filed on a quarterly basis on a form prescribed by the department.

SECTION 4. IC 6-6-4.1-4.8, AS AMENDED BY P.L.185-2018,

EH 1050—LS 6503/DI 139



SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4.8. (a) This section applies only to a claim for a proportional use credit under section 4(d) of this chapter or section 4.5(e) of this chapter (before its repeal) for taxes first due and payable after July 31, 1999.

(b) In order to obtain a proportional use credit against taxes imposed under section 4 of this chapter or section 4.5 of this chapter (before its repeal) a carrier must file a claim with the department. The claim must be submitted on a form prescribed by the department and must be filed with the quarterly return for the taxable period for which the proportional use credit is claimed. A carrier is not entitled to a proportional use credit under section 4(d) of this chapter or section 4.5(e) of this chapter (before its repeal) unless the carrier:

- (1) has paid in full the taxes to which the credit applies, **except for an alternative fuel**; and
- (2) has filed a claim for the credit on or before the due date of the corresponding quarterly return for the taxable period for which the proportional use credit is claimed.

A credit approved under this section shall, subject to this section, be refunded to the carrier without interest.

(c) The department shall determine the aggregate amount of proportional use credits claimed under section 4(d) of this chapter or section 4.5(e) of this chapter (before its repeal) for each quarter. The department may approve the full amount of a proportional use credit claimed by a carrier if the aggregate amount of proportional use credits claimed for the quarter and for the fiscal year do not exceed the limits set forth in subsection (d). If the aggregate amount of proportional use credits claimed in a quarter exceeds the limits set forth in subsection (d), the department shall pay the claims for that quarter on a pro rata basis.

(d) The department may not approve more than three million five hundred thousand dollars (\$3,500,000) of proportional use credits under this section in a state fiscal year. In addition, the amount of proportional use credits the department may approve under this section for a quarter may not exceed the following:

- (1) For the quarter ending September 30 of a year, an amount equal to one million three hundred seventy-five thousand dollars (\$1,375,000).
- (2) For the quarter ending December 31 of a year, an amount equal to:
  - (A) six hundred twenty-five thousand dollars (\$625,000); plus
  - (B) the greater of zero (0) or the result of:



- (i) the limit determined for the previous quarter under this subsection; minus
  - (ii) the aggregate amount of claims approved for the previous quarter.
- (3) For the quarter ending March 31 of a year, an amount equal to:
- (A) six hundred twenty-five thousand dollars (\$625,000); plus
  - (B) the greater of zero (0) or the result of:
    - (i) the limit determined for the previous quarter under this subsection; minus
    - (ii) the aggregate amount of claims approved for the previous quarter.
- (4) For the quarter ending June 30 of a year, an amount equal to:
- (A) eight hundred seventy-five thousand dollars (\$875,000); plus
  - (B) the greater of zero (0) or the result of:
    - (i) the limit determined for the previous quarter under this subsection; minus
    - (ii) the aggregate amount of claims approved for the previous quarter.

**(e) A carrier that is exempt from the quarterly reporting requirements under section 10 of this chapter must continue to file a quarterly return under this section to obtain a proportional use credit.**

SECTION 5. IC 6-6-4.1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 9. **(a) Except as provided in subsection (b),** if there are no records showing the number of miles actually operated per gallon of motor fuel and if section 11(c) of this chapter is inapplicable, it is presumed for purposes of this chapter that one (1) gallon of motor fuel is consumed for every four (4) miles traveled.

**(b) This section does not apply to an alternative fuel that is not commonly or commercially known or sold as butane or propane.**

SECTION 6. IC 6-6-4.1-10, AS AMENDED BY P.L.45-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 10. (a) Except as provided in section 13 of this chapter, each carrier subject to the tax imposed under this chapter shall submit to the department such quarterly reports of the operations of commercial motor vehicles giving rise to the carrier's tax liability as the department may require. The carrier shall submit each quarterly report required under this subsection on or before the last day of the month immediately following that quarter.





(b) Subject to the restrictions of ~~this subsection and~~ subsection (c) **and section 4.8 of this chapter**, ~~the department may, by rules adopted under IC 4-22-2, exempt any a carrier is exempt~~ from the quarterly reporting requirements of this section ~~The department may exempt only a carrier who submits an annual affidavit attesting that: if~~

(†) all or substantially all of:

(1) the mileage of the carrier in the previous calendar year was the result of operations in Indiana; **and**

(2) ~~all or substantially all of the motor fuel used in the operations of the carrier in the previous calendar year was purchased in Indiana or~~ **and the carrier paid the tax imposed under IC 6-6-1.1 or IC 6-6-2.5.**

(3) ~~the carrier is from a state that has a reciprocity agreement with the state of Indiana relating to motor fuel taxes.~~

(c) ~~The department may exempt carriers under subsection (b) only if:~~

(†) ~~granting exemptions will not adversely affect the enforcement of this chapter; and~~

(2) ~~the carriers that apply for exemptions purchased an equitable amount of motor fuel in Indiana.~~

**(c) A carrier that is exempt under subsection (b) is subject to section 20 of this chapter and is required to keep books and records as required by IC 6-8.1-5 regarding the tax imposed under section 4 of this chapter.**

(d) Each carrier shall submit to the department any other reports required by the department.

(e) All reports required to be filed under this chapter must be filed in an electronic format prescribed by the department.

(f) All taxes required to be remitted under this chapter must be remitted in an electronic format prescribed by the department.

SECTION 7. IC 6-6-4.1-12, AS AMENDED BY P.L.182-2009(ss), SECTION 235, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. (a) Except as **provided in subsection (h) and as** authorized under section 13 of this chapter, a carrier may operate a commercial motor vehicle upon the highways in Indiana only if the carrier has been issued an annual permit, cab card, and emblem under this section.

(b) **Except as provided in subsection (h),** the department shall issue:

(1) an annual permit; and

(2) a cab card and an emblem for each commercial motor vehicle that will be operated by the carrier upon the highways in Indiana;



to a carrier who applies for an annual permit and pays to the department an annual permit fee of twenty-five dollars (\$25) not later than September 1 of the year before the annual permit is effective under subsection (c).

(c) **Except as provided in subsection (h)**, the annual permit, cab card, and emblem are effective from January 1 of each year through December 31 of the same year. The department may extend the expiration date of the annual permit, cab card, and emblem for no more than sixty (60) days. The annual permit, each cab card, and each emblem issued to a carrier remain the property of this state and may be suspended or revoked by the department for any violation of this chapter or of the rules concerning this chapter adopted by the department under IC 4-22-2.

(d) **Except as provided in subsection (h)**, as evidence of compliance with this section, and for the purpose of enforcement, a carrier shall display on each commercial motor vehicle an emblem when the vehicle is being operated by the carrier in Indiana. The carrier shall affix the emblem to the vehicle in the location designated by the department. The carrier shall display in each vehicle the cab card issued by the department. The carrier shall retain the original annual permit at the address shown on the annual permit. During the month of December, the carrier shall display the cab card and emblem that are valid through December 31 or a full year cab card and emblem issued to the carrier for the ensuing twelve (12) months. If the department grants an extension of the expiration date, the carrier shall continue to display the cab card and emblem upon which the extension was granted.

(e) If a commercial motor vehicle is operated by more than one (1) carrier, as evidence of compliance with this section and for purposes of enforcement each carrier shall display in the commercial motor vehicle a reproduced copy of the carrier's annual permit when the vehicle is being operated by the carrier in Indiana.

(f) A person who fails to display an emblem required by this section on a commercial motor vehicle, does not have proof in the vehicle that the annual permit has been obtained, and operates that vehicle on an Indiana highway commits a Class C infraction. Each day of operation without an emblem constitutes a separate infraction. Notwithstanding IC 34-28-5-4, a judgment of not less than one hundred dollars (\$100) shall be entered for each Class C infraction under this subsection.

(g) A person who displays an altered, false, or fictitious cab card required by this section in a commercial motor vehicle, does not have proof in the vehicle that the annual permit has been obtained, and



operates that vehicle on an Indiana highway commits a Class C infraction. Each day of operation with an altered, false, or fictitious cab card constitutes a separate infraction.

**(h) A carrier is exempt from the requirements under subsections (a) through (d) if the carrier is exempt from the quarterly reporting requirement under section 10(b) of this chapter."**

Page 4, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 5. IC 9-13-2-78, AS AMENDED BY P.L.198-2016, SECTION 121, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 78. "Indiana resident" refers to a person that is one (1) of the following:

(1) An individual who lives in Indiana for at least one hundred eighty-three (183) days during a calendar year and who has a legal residence in another state. However, the term does not include an individual who lives in Indiana for any of the following purposes:

- (A) Attending a postsecondary educational institution.
- (B) Serving on active duty in the armed forces of the United States.
- (C) Temporary employment.
- (D) Other purposes, without the intent of making Indiana a permanent home.

(2) An individual who is living in Indiana if the individual has no other legal residence.

(3) An individual who is registered to vote in Indiana or who satisfies the standards for determining residency in Indiana under IC 3-5-5.

(4) An individual who has a dependent enrolled in an elementary or a secondary school located in Indiana.

(5) A person that maintains a:

- (A) main office;
- (B) branch office;
- (C) warehouse; or
- (D) business facility;

in Indiana.

(6) A person that bases and operates vehicles in Indiana.

(7) A person that operates vehicles in intrastate haulage in Indiana.

**(8) A person who is living in Indiana and has been granted parole as defined in IC 9-13-2-121.5.**

~~(8)~~ **(9)** A person that has more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue



Code) derived from sources in Indiana using the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person that is considered a resident under this subdivision is not a resident if the person proves by a preponderance of the evidence that the person is not a resident under subdivisions (1) through (7).".

Page 5, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 7. IC 9-13-2-121.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE UPON PASSAGE]: **Sec. 121.5. (a) "Parole" means a temporary legal presence in the United States under 8 U.S.C. 1182(d)(5).**

**(b) The term is not a lawful status as defined in IC 9-13-2-92.3."**

Page 6, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 10. IC 9-18.1-5-12, AS ADDED BY P.L.218-2017, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. (a) The supplemental fee in this section applies after December 31, 2017, to each electric vehicle and hybrid vehicle that is required to be registered under ~~IC 9-18.1-~~ **this article.**

(b) As used in this section, "electric vehicle" means a vehicle that:

- (1) is propelled by an electric motor powered by a battery or other electrical device incorporated into the vehicle; and
- (2) is not propelled by an engine powered by the combustion of a hydrocarbon fuel, including gasoline, diesel, propane, or liquid natural gas.

(c) As used in this section, "hybrid vehicle" means a vehicle that:

- (1) draws propulsion energy from both an internal combustion engine and an energy storage device; and
- (2) employs a regenerative braking system to recover waste energy to charge the energy storage device that is providing propulsion energy.

(d) In addition to any other fee required to register an electric vehicle under this chapter, the supplemental fee to register an electric vehicle is one hundred fifty dollars (\$150). ~~through December 31, 2022.~~ Before October 1, ~~2022,~~ **2023**, and before each October 1 of every fifth year thereafter, the bureau shall determine a new fee amount to take effect as of January 1 of the following year by determining the product of:

- (1) the fee in effect for the determination year; multiplied by
- (2) the factor determined under ~~IC 6-6-1.6-2.~~ **IC 6-6-1.6-2(b).**

The fee shall be rounded to the nearest dollar.

(e) In addition to any other fee required to register a hybrid vehicle



under this chapter, the supplemental fee to register a hybrid vehicle is fifty dollars (\$50). ~~through December 31, 2022.~~ Before October 1, 2022, 2023, and before each October 1 of every fifth year thereafter, the bureau shall determine a new fee amount to take effect as of January 1 of the following year by determining the product of:

- (1) the fee in effect for the determination year; multiplied by
- (2) the factor determined under ~~IC 6-6-1.6-2.~~ **IC 6-6-1.6-2(b).**

The fee shall be rounded to the nearest dollar.

(f) The fee shall be deposited in the local road and bridge matching grant fund established by IC 8-23-30-2."

Page 9, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 12. IC 9-21-8-35, AS AMENDED BY P.L.116-2020, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 35. (a) Upon the immediate approach of an authorized emergency vehicle, when the person who drives the authorized emergency vehicle is giving audible signal by siren or displaying alternately flashing red, red and white, or red and blue lights, a person who drives another vehicle shall do the following unless otherwise directed by a law enforcement officer:

- (1) Yield the right-of-way.
- (2) Immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the highway clear of any intersection.
- (3) Stop and remain in the position until the authorized emergency vehicle has passed.

(b) Upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is giving a signal by displaying alternately flashing red, red and white, or red and blue lights, a person who drives an approaching vehicle shall:

- (1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or
- (2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

A person who violates this subsection commits a Class A infraction. However, the violation is a Level 6 felony if the person's failure to comply with this subsection results in serious bodily injury,



catastrophic injury, or death to any person operating, occupying, or affiliated with an authorized emergency vehicle described in this subsection.

(c) Upon approaching a stationary recovery vehicle, a stationary utility service vehicle (as defined in IC 8-1-8.3-5), a stationary solid waste hauler, a stationary road, street, or highway maintenance vehicle, or a stationary survey or construction vehicle, when the vehicle is giving a signal by displaying alternately flashing amber lights, a person who drives an approaching vehicle shall:

- (1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the recovery vehicle, utility service vehicle, solid waste hauler, or road, street, or highway maintenance vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or
- (2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

A person who violates this ~~section~~ **subsection** commits a Class B infraction.

**(d) This subsection does not apply to a vehicle approaching another vehicle that is described in subsection (b) or (c) or a vehicle approaching a school bus when the arm signal device specified in IC 9-21-12-13 is in the device's extended position. Upon approaching a disabled stationary vehicle with flashing hazard warning signals, a person who drives an approaching vehicle shall:**

- (1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the disabled stationary vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or**
- (2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.**

**A person who violates this subsection commits a Class B infraction.**

~~(d)~~ **(e)** This section does not operate to relieve the person who drives an authorized emergency vehicle, a recovery vehicle, a utility service vehicle, solid waste hauler, a road, street, or highway maintenance



vehicle; or a stationary survey or construction vehicle a vehicle described under this section from the duty to operate the vehicle with due regard for the safety of all persons using the highway."

Page 9, between lines 36 and 37, begin a new paragraph and insert: "SECTION 13. IC 9-24-1-7, AS AMENDED BY P.L.256-2017, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Section 1 of this chapter does not apply to the following individuals:

- (1) An individual in the service of the armed forces of the United States while operating an official motor vehicle in that service.
- (2) An individual who is at least sixteen (16) years and one hundred eighty (180) days of age, while operating:
  - (A) road construction or maintenance machinery;
  - (B) a ditch digging apparatus;
  - (C) a well drilling apparatus; or
  - (D) a concrete mixer;

that is being temporarily drawn, moved, or propelled on a highway.

- (3) A nonresident who:

- (A) is:
  - (i) at least sixteen (16) years and one hundred eighty (180) days of age; or
  - (ii) employed in Indiana;
- (B) has in the nonresident's immediate possession a valid driver's license that was issued to the nonresident in the nonresident's home state or country; and
- (C) is ~~lawfully admitted into~~ **legally present in** the United States;

while operating on a highway the type of motor vehicle for which the driver's license was issued, subject to the restrictions imposed by the home state or country of the individual's residence.

- (4) A new Indiana resident who:

- (A) possesses a valid driver's license issued by the state or country of the individual's former residence; and
- (B) is ~~lawfully admitted~~ **legally present** in the United States; for a period of sixty (60) days after becoming an Indiana resident, and subject to the restrictions imposed by the state or country of the individual's former residence while operating upon a highway the type of motor vehicle for which the driver's license was issued.

- (5) An individual while operating a farm wagon that is being temporarily drawn, moved, or propelled on a public highway.



However, to operate the farm wagon on a highway, other than to temporarily draw, move, or propel it, the individual must be at least fifteen (15) years of age.

(6) An individual who does not hold a driver's license or permit and is authorized to operate a golf cart or an off-road vehicle on the highways of a county, city, or town in accordance with an ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).

(b) An ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a) must require that an individual who operates a golf cart or off-road vehicle in the city, county, or town:

- (1) hold a driver's license; or
- (2) be at least sixteen (16) years and one hundred eighty (180) days of age and hold:
  - (A) an identification card issued under IC 9-24-16; or
  - (B) a photo exempt identification card issued under IC 9-24-16.5."

Page 10, line 31, after "(9)" strike "An" and insert "**Except for an individual granted parole as defined in IC 9-13-2-121.5, an**".

Page 13, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 20. IC 9-24-9-2, AS AMENDED BY P.L.178-2019, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Except as provided in subsection (b), each application for a driver's license or permit under this chapter must require the following information:

- (1) The full legal name of the applicant.
- (2) The applicant's date of birth.
- (3) The gender of the applicant.
- (4) The applicant's height, weight, hair color, and eye color.
- (5) The address of the applicant.
- (6) A:
  - (A) valid Social Security number; or
  - (B) verification of an applicant's:
    - (i) ineligibility to be issued a Social Security number; and
    - (ii) identity; and
    - (iii) lawful status, **except for an individual granted parole as defined in IC 9-13-2-121.5.**
- (7) Whether the applicant has been subject to fainting spells or seizures.
- (8) Whether the applicant has been issued a driver's license or has been the holder of a permit, and if so, when and by what jurisdiction.
- (9) Whether the applicant's driver's license or permit has ever





been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.

(10) Whether the applicant has been convicted of:

(A) a crime punishable as a felony under Indiana motor vehicle law; or

(B) any other felony in the commission of which a motor vehicle was used;

that has not been expunged by a court.

(11) Whether the applicant has a physical or mental disability, and if so, the nature of the disability.

(12) The signature of the applicant showing the applicant's legal name as it appears or will appear on the driver's license or permit.

(13) A digital photograph of the applicant.

(14) Any other information the bureau requires.

(b) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's address.

(c) In addition to the information required by subsection (a), an applicant who is required to complete at least fifty (50) hours of supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or IC 9-24-3-2.5(a)(2)(D) must submit to the bureau evidence of the time logged in practice driving."

Page 13, line 36, delete "status." insert "**status or is granted parole as defined in IC 9-13-2-121.5.**"

Page 15, line 30, after "status" insert "**or is granted parole as defined in IC 9-13-2-121.5**".

Page 17, line 14, delete "IC 9-24-9-2.5," and insert "**IC 9-24-9-2.5 or is granted parole as defined in IC 9-13-2-121.5,**".

Page 18, line 3, delete "IC 9-24-9-2.5," and insert "**IC 9-24-9-2.5 or is granted parole as defined in IC 9-13-2-121.5,**".

Page 21, line 15, delete "IC 9-24-2.5" and insert "**IC 9-24-9-2.5 or who is granted parole as defined in IC 9-13-2-121.5**".

Page 24, line 14, delete "States," and insert "**States or valid documentary evidence that the individual is granted parole as defined in IC 9-13-2-121.5,**".

Page 24, line 37, after "number;" strike "and".

Page 24, line 38, strike "identity and lawful status." and insert "**identity; and**

**(iii) lawful status, except for an individual granted parole as defined in IC 9-13-2-121.5.**"



Page 27, line 42, after "lawful status" insert **"or proof that the applicant has been granted parole as defined in IC 9-13-2-121.5"**.

Page 28, between lines 10 and 11, begin a new line block indented and insert:

**"(6) Granted parole as defined in IC 9-13-2-121.5."**

Page 28, line 40, delete "or".

Page 29, line 16, strike "and" and insert "or".

Page 29, between lines 16 and 17, begin a new line double block indented and insert:

**"(C) been granted parole as defined in IC 9-13-2-121.5; and"**.

Page 36, between lines 24 and 25, begin a new paragraph and insert:

**"SECTION 53. IC 9-32-13-7, AS AMENDED BY P.L.245-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019 (RETROACTIVE)]: Sec. 7. (a) Except as provided in subsection (b), it is an unfair practice for a dealer to charge a document preparation fee in excess of two hundred dollars (\$200). A document preparation fee less than two hundred dollars (\$200) is permitted and does not constitute an unfair practice under this section. A document preparation fee under this section must be:**

- (1) included in the advertised sale price of a vehicle; and
- (2) affirmatively disclosed:

(A) in writing by the dealer during negotiations for the sale of a vehicle to a potential purchaser that states the dollar amount of the document preparation fee to be charged; and

(B) as a separate line item on the purchaser's bill of sale or other purchase contract.

(b) A document preparation fee under this section may be adjusted annually by a percentage equal to the annual percentage change in the Consumer Price Index, as published by the United States Bureau of Labor Statistics."

Page 37, after line 5, begin a new paragraph and insert:

**"SECTION 55. [EFFECTIVE UPON PASSAGE] (a) The bureau of motor vehicles shall adopt rules under IC 4-22-2, including emergency rules in the manner provided under IC 4-22-2-37.1, necessary to implement the issuance and administration of the following:**

- (1) **Driver's licenses, permits, or identification cards for individuals granted parole as defined in IC 9-13-2-121.5.**
- (2) **Registrations and certificates of title for motor vehicles of individuals granted parole as defined in IC 9-13-2-121.5.**



**(b) This SECTION expires July 1, 2025.**  
**SECTION 56. An emergency is declared for this act."**  
Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1050 as introduced.)

PRESSEL

Committee Vote: yeas 12, nays 0.

---

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1050, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1050 as printed February 7, 2023.)

THOMPSON

Committee Vote: Yeas 22, Nays 0

---

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred House Bill No. 1050, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between lines 11 and 12, begin a new paragraph and insert:  
"SECTION 2. IC 6-6-4.1-1, AS AMENDED BY P.L.234-2019, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. As used in this chapter:

(a) "Carrier" means a person who operates or causes to be operated a commercial motor vehicle on any highway in Indiana.

(b) "Commercial motor vehicle" means a vehicle which is listed in section 2(a) **or** **(2)(b)** of this chapter and which is not excluded from the application of this chapter under section ~~2(b)~~ **(2)(c)** of this chapter.

(c) "Commissioner" means the commissioner of the Indiana

**EH 1050—LS 6503/DI 139**



department of state revenue.

(d) "Declared gross weight" means the weight at which a motor vehicle is registered with:

- (1) the bureau of motor vehicles; or
- (2) a state other than Indiana.

(e) "Department" means the Indiana department of state revenue.

(f) "Diesel gallon equivalent" means the amount of an alternative fuel or natural gas product that produces the same number of British thermal units of energy as a gallon of diesel fuel.

(g) "Gasoline gallon equivalent" means the amount of an alternative fuel or natural gas product that produces the same number of British thermal units of energy as a gallon of gasoline.

(h) "Highway" means the entire width between the boundary lines of every publicly maintained way that is open in any part to the use of the public for purposes of vehicular travel.

(i) "Motor fuel" means gasoline (as defined in IC 6-6-1.1), special fuel (as defined in IC 6-6-2.5), and alternative fuel (as defined in IC 6-6-2.5).

(j) "Quarter" means calendar quarter.

(k) "Motor vehicle" has the meaning set forth in IC 6-6-1.1-103.

(l) "Recreational vehicle" means motor homes, pickup trucks with attached campers, and buses when used exclusively for personal pleasure. A vehicle is not a recreational vehicle if the vehicle is used in connection with a business.

(m) "Alternative fuel" has the meaning set forth in IC 6-6-2.5-1.

(n) "Special fuel" has the meaning set forth in IC 6-6-2.5-22.

(o) "Natural gas product" has the meaning set forth in IC 6-6-2.5-16.5."

Page 1, line 14, strike "(b)," and insert "(c),".

Page 2, between lines 10 and 11, begin a new paragraph and insert:

**"(b) Except as provided in subsection (c), this chapter applies to a motor vehicle (as defined in IC 9-13-2-105) having a gross weight or a declared gross weight greater than ten thousand (10,000) pounds and not greater than twenty-six thousand (26,000) pounds used on a highway exclusively in intrastate commerce to transport property that is propelled by alternative fuel that is not commonly or commercially known or sold as butane or propane."**

Page 2, line 11, strike "(b)" and insert "(c)".

Page 3, line 3, strike "either" and insert "**one (1)**".

Page 3, line 12, delete "by the carrier's" and insert "**by:**

- (i) the carrier's average miles per gallon for all vehicles in the fleet that consume motor fuels described in**



subdivision (1);

(ii) the carrier's average miles per gallon for the preceding quarter of Indiana based International Fuel Tax Agreement vehicles consuming motor fuels described in subdivision (1) if all vehicles in the fleet consume an alternative fuel that is not commonly or commercially known or sold as butane or propane; or

(iii) the carrier's average miles per gallon published by the United States Department of Energy for a vehicle described in section 2(b) of this chapter that consumes an alternative fuel that is not commonly or commercially known or sold as butane or propane.

**The department shall publish on its website each quarter the average miles per gallon for the preceding quarter for a vehicle described in item (ii)."**

Page 3, delete lines 13 through 17.

Page 3, line 18, beginning with "The tax" begin a new line blocked left.

Page 3, line 19, after "quarter." insert **"The department shall publish on its website each quarter the average miles per gallon for the preceding quarter for a vehicle described in subdivision (3)(C)(ii) and (3)(C)(iii)."**

Page 6, line 6, strike "(c)" and insert "(d)".

Page 6, between lines 25 and 26, begin a new paragraph and insert:  
**"(c) A carrier is required to report and to pay the tax imposed by this chapter only on alternative fuel if:**

**(1) all or substantially all of the mileage of the carrier in a quarter is the result of operations in Indiana; and**

**(2) the motor fuel used for operations during the quarter was purchased in Indiana, some of which was alternative fuel."**

Page 6, line 26, delete "(c)" and insert "(d)".

Page 6, line 26, after "subsection (b)" insert **"or meets the requirements of subsection (c)".**

Page 6, line 30, strike "(d)" and insert "(e)".

Page 6, line 32, strike "(e)" and insert "(f)".

Page 6, line 34, strike "(f)" and insert "(g)".

Page 8, between lines 11 and 12, begin a new paragraph and insert:  
**"(i) A carrier that meets the requirements of section 10(c) of this chapter shall display an emblem on a vehicle that consumes alternative fuel.**

SECTION 8. IC 6-6-4.1-17, AS AMENDED BY P.L.185-2018, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2023]: Sec. 17. If a carrier:

- (1) fails to file a quarterly report required by this chapter;
- (2) fails to pay the tax imposed under section 4 of this chapter or section 4.5 of this chapter (before its repeal);
- (3) files a report after the date established under this chapter;
- (4) with respect to a listed tax (as defined in IC 6-8.1-1-1), fails to file all tax returns or information reports or to pay all taxes, penalties, and interest;
- (5) fails to file a form or report required under this chapter or the International Fuel Tax Agreement in an electronic format prescribed by the department; or
- (6) fails to remit taxes under section ~~10(f)~~ **10(g)** of this chapter;

the commissioner may suspend or revoke any annual permit, trip permit, temporary authorization, or repair and maintenance permit issued to the carrier. The commissioner may reinstate a permit or temporary authorization if a carrier files all required returns and reports and pays all outstanding liabilities."

Page 25, line 35, strike "and".

Page 37, line 14, reset in roman "States".

Page 49, line 23, after "(3)" delete "A person who trains and certifies rider coach trainers." and insert "**The owner of a site upon which a motorcycle operator safety education course is conducted.**".

Page 49, delete lines 24 through 25.

Page 49, line 26, delete "(6)" and insert "**(4)**".

Page 49, line 27, delete "(5)" and insert "**(3)**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1050 as printed February 14, 2023.)

CRIDER, Chairperson

Committee Vote: Yeas 8, Nays 1.



## COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill No. 1050, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 1, delete "(2)(b)" and insert "**2(b)**".

Page 2, line 2, delete "(2)(c)" and insert "**2(c)**".

Page 3, line 2, delete "any".

Page 4, delete lines 30 through 32.

Page 17, line 10, delete "IC 6-6-1.6-2(b)." and insert "**IC 6-6-1.6-3.**".

Page 17, line 19, delete "IC 6-6-1.6-2(b)." and insert "**IC 6-6-1.6-3.**".

and when so amended that said bill do pass.

(Reference is to EHB 1050 as printed March 17, 2023.)

BASSLER

Committee Vote: Yeas 9, Nays 0.

---

 SENATE MOTION

Madam President: I move that Engrossed House Bill 1050 be amended to read as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE JANUARY 1, 2024]".

Replace the effective date in SECTION 4 with "[EFFECTIVE JANUARY 1, 2024]".

Replace the effective date in SECTION 6 with "[EFFECTIVE JANUARY 1, 2024]".

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-6-1.6-3, AS AMENDED BY P.L.159-2021, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) The department shall calculate an annual index factor to be used for the rate to take effect each July 1 beginning in 2018 through July 1, ~~2024~~ **2025**. The department shall determine the index factor before June 1 of each year using the method described in subsection (b).

**EH 1050—LS 6503/DI 139**



(b) The annual gasoline tax index factor and special fuel index factor equals the following:

STEP ONE: Divide the annual CPI-U for the year preceding the determination year by the annual CPI-U for the year immediately preceding that year.

STEP TWO: Divide the annual IPI for the year preceding the determination year by the annual IPI for the year immediately preceding that year.

STEP THREE: Add:

(A) the STEP ONE result; and

(B) the STEP TWO result.

STEP FOUR: Divide the STEP THREE result by two (2).

(c) If the CPI-U or IPI for a preceding year is revised, corrected, or updated after May 31 of that year, the department shall use the CPI-U or IPI as published for the preceding year prior to revision."

Page 1, delete lines 12 through 17.

Delete page 2.

Page 3, delete lines 1 through 33, begin a new paragraph and insert: "SECTION 3. IC 6-6-4.1-2, AS AMENDED BY P.L.198-2016, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 2. (a) Except as provided in subsection (b), this chapter applies to each:

(1) road tractor;

(2) tractor truck;

(3) truck having more than two (2) axles;

(4) truck having a gross weight or a declared gross weight greater than twenty-six thousand (26,000) pounds; ~~and~~

(5) vehicle used in combination if the gross weight or the declared gross weight of the combination is greater than twenty-six thousand (26,000) pounds; **and**

**(6) qualified motor vehicle that is subject to the tax reporting requirements of the International Fuel Tax Agreement;**

that is propelled by motor fuel.

(b) This chapter does not apply to the following:

(1) A vehicle operated by:

(A) this state;

(B) a political subdivision (as defined in IC 36-1-2-13);

(C) the United States; or

(D) an agency of states and the United States, or of two (2) or more states, in which this state participates.

(2) Trucks, trailers, or semitrailers and tractors that are registered as farm trucks, farm trailers, or farm semitrailers and tractors





under IC 9-18 (before its expiration), IC 9-18.1-7, or a similar law of another state.

(3) A bus (as defined in IC 9-13-2-17).

(4) A vehicle described in subsection (a)(1) through (a)(3) when the vehicle is displaying a dealer registration plate.

(5) A recreational vehicle.

(6) A pickup truck that:

(A) is modified to include a third free rotating axle;

(B) has a gross weight not greater than twenty-six thousand (26,000) pounds; and

(C) is operated solely for personal use and not for commercial use."

Page 4, line 15, delete "IC 6-6-2.5 divided" and insert "**IC 6-6-2.5, in the case of an alternative fuel not commonly known or sold as butane or propane, divided**".

Page 4, line 18, delete "(1);" and insert "**(1), if the fleet has both vehicles that consume motor fuels described in subdivision (1) and vehicles that consume alternative fuels that are not commonly or commercially known or sold as butane or propane; or**".

Page 4, line 24, after "propane" delete "; or" and insert ".".

Page 4, delete lines 25 through 29.

Page 4, line 34, delete "and (3)(C)(iii)".

Page 16, delete lines 24 through 42, begin a new paragraph and insert:

"SECTION 21. IC 9-18.1-5-12, AS ADDED BY P.L.218-2017, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. (a) The supplemental fee in this section applies after December 31, 2017, to each electric vehicle and hybrid vehicle that is required to be registered under ~~IC 9-18.1~~ **this article. The supplemental fee in this section does not apply to vehicles subject to the motor carrier fuel tax under IC 6-6-4.1.**

(b) As used in this section, "electric vehicle" means a vehicle that:

(1) is propelled by an electric motor powered by a battery or other electrical device incorporated into the vehicle; and

(2) is not propelled by an engine powered by the combustion of a hydrocarbon fuel, including gasoline, diesel, propane, or liquid natural gas.

(c) As used in this section, "hybrid vehicle" means a vehicle that:

(1) draws propulsion energy from both an internal combustion engine and an energy storage device; and

(2) employs a regenerative braking system to recover waste energy to charge the energy storage device that is providing



propulsion energy.

(d) In addition to any other fee required to register an electric vehicle under this chapter, the supplemental fee to register an electric vehicle is one hundred fifty dollars (\$150). ~~through December 31, 2022; Before October 1, 2022; and before each October 1 of every fifth year thereafter;~~ The bureau shall determine a new fee amount to take effect as of January 1 of the following year by determining the product of:

- (1) Before October 1, 2023:**
    - (A) the fee in effect for the determination year; multiplied by**
    - (B) the factor determined under IC 6-6-1.6-2(b).**
  - (2) Before October 1 of each year thereafter:**
    - (A) the fee in effect for the determination year; multiplied by**
    - (B) the factor determined under IC 6-6-1.6-3.**
- (1) the fee in effect for the determination year; multiplied by  
(2) the factor determined under IC 6-6-1.6-2.

The fee shall be rounded to the nearest dollar.

(e) In addition to any other fee required to register a hybrid vehicle under this chapter, the supplemental fee to register a hybrid vehicle is fifty dollars (\$50). ~~through December 31, 2022; Before October 1, 2022; and before each October 1 of every fifth year thereafter;~~ The bureau shall determine a new fee amount to take effect as of January 1 of the following year by determining the product of:

- (1) Before October 1, 2023:**
    - (A) the fee in effect for the determination year; multiplied by**
    - (B) the factor determined under IC 6-6-1.6-2(b).**
  - (2) Before October 1 of each year thereafter:**
    - (A) the fee in effect for the determination year; multiplied by**
    - (B) the factor determined under IC 6-6-1.6-3.**
- (1) the fee in effect for the determination year; multiplied by  
(2) the factor determined under IC 6-6-1.6-2.

The fee shall be rounded to the nearest dollar.

(f) The fee shall be deposited in the local road and bridge matching grant fund established by IC 8-23-30-2."



Page 17, delete lines 1 through 19.  
Renumber all SECTIONS consecutively.

(Reference is to EHB 1050 as printed April 7, 2023.)

CRIDER

---

SENATE MOTION

Madam President: I move that Engrossed House Bill 1050 be amended to read as follows:

Page 17, between lines 19 and 20, begin a new paragraph and insert:

**"(g) The bureau shall submit a report annually to the Indiana utility regulatory commission that includes information regarding the number of electric vehicles registered by county."**

(Reference is to EHB 1050 as printed April 7, 2023.)

LEISING

---

SENATE MOTION

Madam President: I move that Engrossed House Bill 1050 be amended to read as follows:

Page 29, between lines 12 and 13, begin a new paragraph and insert:

**"SECTION 36. IC 9-24-10-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4.5. (a) A driver training school (as defined in IC 9-27-6-3) may offer to administer a driving skills test (as defined in 140 IAC 4-1.1-1) to an individual who holds a valid learner's permit.**

**(b) This section expires June 30, 2030."**

Renumber all SECTIONS consecutively.

(Reference is to EHB 1050 as printed April 7, 2023.)

ZAY



## SENATE MOTION

Madam President: I move that Engrossed House Bill 1050 be amended to read as follows:

Page 13, delete lines 2 through 42.

Page 14, delete lines 36 through 41, begin a new paragraph and insert:

"SECTION 17. IC 9-13-2-121.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE UPON PASSAGE]: **Sec. 121.5. (a) "Parole" means temporary legal presence in the United States under 8 U.S.C. 1182(d)(5) granted to an individual who:**

**(1) is a citizen or national of Ukraine or last was a habitual resident of Ukraine; and**

**(2) meets the criteria established under Section 401(a) of the Additional Ukraine Supplemental Appropriations Act (Public Law 117-128) as in effect on January 1, 2023.**

**(b) The term is not a lawful status as defined in section 92.3 of this chapter."**

Re-number all SECTIONS consecutively.

(Reference is to EHB 1050 as printed April 7, 2023.)

KOCH

---

 SENATE MOTION

Madam President: I move that Engrossed House Bill 1050 be amended to read as follows:

Page 20, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 24. IC 9-21-3-7, AS AMENDED BY P.L.149-2015, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. (a) Whenever traffic is controlled by traffic control signals exhibiting different colored lights or colored lighted arrows successively, one (1) at a time or in combination, only the colors green, red, or yellow may be used, except for special pedestrian signals under IC 9-21-18.

(b) The lights indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication means the following:

(A) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left, unless a sign at

**EH 1050—LS 6503/DI 139**



the place prohibits either turn.

(B) Vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent sidewalk at the time the signal is exhibited.

(C) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by the green arrow or other movement permitted by other indications shown at the same time.

(D) Vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(E) Unless otherwise directed by a pedestrian control signal, pedestrians facing a green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within a marked or unmarked crosswalk.

(2) Steady yellow indication means the following:

(A) Vehicular traffic facing a steady circular yellow or yellow arrow signal is warned that the related green movement is being terminated and that a red indication will be exhibited immediately thereafter.

(B) A pedestrian facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian control signal, is advised that there is insufficient time to cross the roadway before a red indication is shown, and a pedestrian may not start to cross the roadway at that time.

(3) Steady red indication means the following:

(A) Except as provided in clauses (B) and (D), vehicular traffic facing a steady circular red or red arrow signal shall stop at a clearly marked stop line. However, if there is no clearly marked stop line, vehicular traffic shall stop before entering the crosswalk on the near side of the intersection. If there is no crosswalk, vehicular traffic shall stop before entering the intersection and shall remain standing until an indication to proceed is shown.

(B) Except when a sign is in place prohibiting a turn described in this subdivision, vehicular traffic facing a steady red signal, after coming to a complete stop, may cautiously enter the intersection to do the following:

(i) Make a right turn.

(ii) Make a left turn if turning from the left lane of a



one-way street into another one-way street with the flow of traffic.

Vehicular traffic making a turn described in this subdivision shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic using the intersection.

(C) Unless otherwise directed by a pedestrian control signal pedestrians facing a steady circular red or red arrow signal may not enter the roadway.

(D) This clause does not apply to the operation of an autocycle. If the operator of a motorcycle, motor driven cycle, or bicycle approaches an intersection that is controlled by a traffic control signal, the operator may proceed through the intersection on a steady red signal only if the operator:

- (i) comes to a complete stop at the intersection for at least one hundred twenty (120) seconds; and
- (ii) exercises due caution as provided by law, otherwise treats the traffic control signal as a stop sign, and determines that it is safe to proceed.

(4) No indication or conflicting indications means the following:

(A) Except as provided in clause (C), vehicular traffic facing an intersection having a signal that displays no indication or conflicting indications, where no other control is present, shall stop before entering the intersection.

(B) After stopping, vehicular traffic may proceed with caution through the intersection and shall yield the right-of-way to traffic within the intersection or approaching so closely as to constitute an immediate hazard.

(C) Vehicular traffic entering an intersection or crosswalk facing a pedestrian hybrid beacon may proceed without stopping if no indication is displayed on the pedestrian hybrid beacon.

(5) This section applies to traffic control signals located at a place other than an intersection. A stop required under this subdivision must be made at the signal, except when the signal is supplemented by a sign or pavement marking indicating where the stop must be made.



**(c) A consolidated city may not adopt an ordinance requiring the installation of a sign prohibiting a turn described in subsection (b)(3)(B)."**

Re-number all SECTIONS consecutively.

(Reference is to EHB 1050 as printed April 7, 2023.)

FREEMAN

---

SENATE MOTION

Madam President: I move that Engrossed House Bill 1050 be amended to read as follows:

Page 16, line 3, after "vehicles" insert "**, including all vehicles in which a manufacturer accepts a return of a motor vehicle that is considered a buyback vehicle under IC 24-5-13.5,**".

Page 16, between lines 23 and 24, begin a new paragraph and insert: "SECTION 21. IC 9-17-3-3.5, AS AMENDED BY P.L.27-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3.5. (a) This section applies to a vehicle for which a certificate of title is required to be obtained under IC 24-5-13.5-12.

(b) The bureau shall do the following:

(1) For a subsequent request for a new certificate of title for a buyback vehicle, whether titled in Indiana or any other state, cause the words "Manufacturer Buyback – Disclosure on File" to appear on the new certificate of title.

(2) Maintain a listing of all reported buyback vehicles in accordance with this section, maintain a record of the disclosure document required by ~~IC 24-5-13.5-10(3)~~, **IC 24-5-13.5-10(b)(3)**, and allow access to the listing and disclosure document upon written application."

Page 52, between lines 26 and 27, begin a new paragraph and insert: "SECTION 70. IC 24-5-13.5-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5.5. As used in this chapter, "initial resale" means the first time a dealer sells a buyback vehicle to a buyer after it has been repurchased by a manufacturer under this chapter or IC 24-5-13.**

SECTION 71. IC 24-5-13.5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 10. **(a) This section applies to a buyback vehicle only at the time of the initial resale of**



**the buyback vehicle.**

(b) A buyback ~~motor~~ vehicle may not be ~~resold~~ **sold** in Indiana unless the following conditions have been met:

- (1) The manufacturer provides the same express warranty the manufacturer provided to the original PURCHASER, except that the term of the warranty need only last for twelve thousand (12,000) miles or twelve (12) months after the date of resale.
- (2) The following disclosure language must be conspicuously contained in a contract for the ~~sale~~ **initial resale** or lease of a buyback vehicle to a consumer or contained in a form affixed to the contract:

**"IMPORTANT**

This vehicle was previously sold as new. It was subsequently returned to the manufacturer or authorized dealer in exchange for a replacement vehicle or a refund because it did not conform to the manufacturer's express warranty and the nonconformity was not cured within a reasonable time as provided by Indiana law."

- (3) The manufacturer provides the dealer a separate document with a written statement identifying the vehicle conditions that formed the basis for the previous owner's or lessee's dissatisfaction and the steps taken to deal with that dissatisfaction in 10-point all capital type.

SECTION 72. IC 24-5-13.5-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. Before ~~reselling~~ **the initial resale of** a buyback ~~motor~~ vehicle in Indiana, a dealer must provide to the buyer the express warranty required by section ~~10(1)~~ **10(b)(1)** of this chapter and the written statement of disclosure required by section ~~10(3)~~ **10(b)(3)** of this chapter and obtain the buyer's acknowledgment of this disclosure at the time of ~~sale~~ **the initial resale** or lease as evidenced by the buyer's signature on the statement of disclosure.

SECTION 73. IC 24-5-13.5-12, AS AMENDED BY P.L.27-2018, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. A manufacturer who accepts return of a motor vehicle that is considered a buyback vehicle under this chapter shall do the following:

- (1) Before transferring ownership of the buyback vehicle, place the notation "Manufacturer Buyback – Disclosure on File" on the original certificate of title.
- (2) Not more than thirty-one (31) days after receipt of the certificate of title, apply to the bureau for a certificate of title in the name of the manufacturer and provide to the bureau a copy of





the disclosure document required by section ~~10(3)~~ **10(b)(3)** of this chapter.

SECTION 74. IC 24-5-13.5-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13. (a) **Except as provided in IC 34-30-34-3**, a person who fails to comply with section 10, 11, or 12 of this chapter is liable for the following:

- (1) Actual damages or the value of the consideration, at the election of the buyer.
- (2) The costs of an action to recover damages and reasonable attorney's fees.
- (3) Not more than three (3) times the value of the actual damages or the consideration as exemplary damages.
- (4) Other equitable relief, including restitution, as is considered proper in addition to damages and costs.

(b) Actual damages under this section include the following:

- (1) The difference between the actual market value of the vehicle at the time of purchase and the contract price of the vehicle.
- (2) Towing, repair, and storage expenses.
- (3) Rental of substitute transportation.
- (4) Food and lodging expenses.
- (5) Lost wages.
- (6) Finance charges.
- (7) Sales or use tax or other governmental fees.
- (8) Lease charges.
- (9) Other incidental and consequential damages.

(c) Lack of privity is not a bar to an action under this section.

(d) This subsection does not apply to consent orders or stipulated judgments in which there is no admission of liability by the defendant. A permanent injunction, final judgment, or final order of the court obtained by the attorney general under section 14 of this chapter is prima facie evidence in an action brought under this section that the defendant has violated section 10, 11, or 12 of this chapter.

(e) An action to enforce liability under this section may be brought within two (2) years from the date of discovery by the buyer."

Page 52, between lines 31 and 32, begin a new a paragraph and insert:

"SECTION 77. IC 34-30-34 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

**Chapter 34. Immunity for a Buyback Vehicle.**

**Sec. 1. As used in this chapter, "dealer" has the meaning set forth in IC 9-32-2-9.6.**



**Sec. 2. As used in this chapter, "buyback vehicle" has the meaning set forth in IC 24-5-13.5-3.**

**Sec. 3. (a) A dealer is immune from civil liability in an action based on a violation of IC 24-5-13.5-10 if the dealer has a reasonable good faith belief that the vehicle subject to the action was not a buyback vehicle.**

**(b) Subsection (a) does not apply to an act of gross negligence or willful or wrongful misconduct."**

Renumber all SECTIONS consecutively.

(Reference is to EHB 1050 as printed April 7, 2023.)

FREEMAN

